

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20165 of 2019

Arising Out of PS. Case No.-591 Year-2018 Thana- BRAHMPUR District- Buxar

(1) Atma Yadav, s/o Late LakshanYadav
(2) Bijendra Yadav @ Bijendra Kumar Yadav, s/o Late Devshankar Yadav,
Both R/o village- Baraki Nainizore, P.S.-Brahmpur
(Nainizore), District-Buxar. Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Kumar
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-07-2019 At the very outset, learned counsel for the petitioner submits that during the pendency of this application, petitioner No.1 has been arrested. As such, this bail application has now become infructuous as against petitioner No.1. Accordingly, this bail application is dismissed against petitioner No.1.

 Insofar as petitioner No.2 is concerned, learned counsel for the petitioner submits that the petitioner No.2 along with other accused persons assaulted the brother and other family members of the informant.

 Learned counsel for the petitioner submits that both the parties are agnates and there is admitted land dispute between them. He further submits that there is case and counter case and for the same occurrence Brahmpur P.S. Case No.593 of 2018 has been registered by the side of the petitioner. He further submits that no



grievous injury has been caused to the side of the informant and the nature of injury has been found to be simple in nature.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that parties are agnates, there is case and counter case, there is admitted land dispute between them and the injuries caused to the side of the informant is simple in nature, as such, I am inclined to grant anticipatory bail to petitioner No.2.

Accordingly, the petitioner No.2, Bijendra Yadav @ Bijendra Kumar Yadav, is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Bhrahmpur (Nainizore), (Buxar) P.S. Case No.591 of 2018, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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