

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18850 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- NARDIGANJ District- Nawada

1. BACHCHU YADAV @ BACHCHU GOPE Son of Late Kewal Yadav @ Kewal Gope
2. Anil Yadav Son of Bachchu Yadav @ Bachchu Gope
Both Resident of Village - Babhnauli, P.S.- Nardiganj, Distt - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-07-2019 The petitioners apprehend their arrest in connection with Nardiganj P.S. Case No. 238 of 2018 registered under Sections 147,149,308,323,337,3354B,380,427 and 504 of the Indian Penal Code.

The allegation against the petitioners is that petitioners along with other accused persons assaulted the informant and his sister-in-law on their heads with iron rod and Khanti.

Learned counsel for the petitioners submits that there is case and counter case in between the parties and son of petitioner no. 1 has lodged Nardiganj P.S.Case No. 239 of 2018 in which petitioner no. 1 sustained grievous injury having seven injuries on his person. Learned counsel further submits that both



parties are agnate and there is admitted land dispute between them.

Learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that for assaulting the side of the petitioners, prosecution side was sent to jail and, therefore, petitioners do not deserve bail. He further submits that earlier also, a case was registered against the petitioners, in which charge sheet was filed.

After having heard learned counsel for the parties and taking into consideration the fact that parties are agnate and there is case and counter case in between the parties and both sides have received injuries, however, injuries caused to the informant and his sister-in-law appear to be simple in nature except injury no. 1, which is on the forearm and opinion has been kept reserve by the doctor as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Mr. Deepak Kumar, Judicial Magistrate, 1st Clas, Nawada in



connection with Nardiganj P.S. Case No. 238 of 2018; subject
to condition as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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