

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11264 of 2020**

Arising Out of PS. Case No.-234 Year-2019 Thana- BAUNSI District- Banka

1. Udeswar Yadav @ Udeswar Prasad Yadav Son of Saptu Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
2. Devendra Prasad Yadav @ Devendra Yadav Son of Nandlal Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
3. Sunil Yadav Son of Mihilal Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
4. Pappu Yadav Son of Nandlal Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
5. Vijay Yadav Son of Sheppu Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
6. Bhusan Yadav Son of Basant Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
7. Rakesh Yadav Son of Basant Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.
8. Pawan Yadav Son of Prem Yadav Resident of Village - Tetaria, P.S.- Baunsi, Dist.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 15-10-2020 Heard learned counsel for petitioners and State through video conferencing.

The petitioners apprehend their arrest in Bounsi P.S. Case No. 234 of 2019, registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, on 16-09-2019 at about 6:00 AM, all the FIR named accused persons, including petitioners, went on the land of the informant for plantation of



trees, which was objected by informant side, and thereafter, it is alleged that all the accused started assaulting them by *farsa*, *khanti* and iron rod, as a result of which, multiple injuries have been sustained to informant's side.

It is submitted on behalf of petitioners that there is case and counter case. Due to admitted land dispute between the parties on a piece of land, the alleged occurrence has taken place and most of the injuries have been found to be simple in nature by the doctor, as per Annexure 3 series.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that four persons have been sustained multiple injuries including grievous injuries in the occurrence and as such, petitioners may not be granted anticipatory bail.

Considering the aforesaid facts and circumstances as well as discussion made above and the materials available on record, I am not inclined to grant them anticipatory bail and as such, the bail application of petitioners is rejected.

(Prabhat Kumar Singh, J.)

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