

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10174 of 2020

Arising Out of PS. Case No.-569 Year-2019 Thana- JAHANABAD District- Jehanabad

1. OM PRASAD YADAV @ OM YADAV, S/o Late Sakaldev Yadav @ Late Saklu Yadav,
2. Gulteni @ Sujit Kumar, S/o Om Prasad Yadav @ Om Yadav
Both Residents of Village- Bairagibagh, P.S.- Jehanabad, Distt- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-06-2020

This case has been heard through Video Conferencing.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
307/34 of the Indian Penal Code.

Prosecution case in brief is that the petitioners and
others have assaulted the informant and his Bhabhi by means of
Lathi, Danda, fist and slap mercilessly as a result of which they
sustained injuries and became unconscious. It is further claimed
that the informant's brother was not present at his house and on his
arrival, he has brought them for treatment. It is further alleged that
the petitioner Anita Kumari was also involved in the occurrence of
assault and the reason behind the occurrence is stated to be sequel
of land dispute.



Learned counsel for the petitioners submits that the petitioners are innocent, they have not committed any offence and they have been falsely implicated in this case. There is no specific allegation against the petitioners. There is case and counter case of the same date of occurrence and said occurrence has been taken place on account of land dispute and both parties are own brother. The petitioners have no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Jehanabad P.S. Case No. 569 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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