

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16838 of 2020

Arising Out of PS. Case No.-405 Year-2019 Thana- RAJAON District- Banka

1. DINESH YADAV Son of Late Bhagwat Yadav
2. Vikash Yadav Son of Dinesh Yadav, both Resident of Village - Chakparasi, P.S.- Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-08-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
307, 379, 504, 506/34 of the Indian Penal Code.

Prosecution case as lodged by the informant is that
when she went to her field saw her broken fence due to which
some words speak against that persons who have broken her
fence then petitioners and other abused her. On objection and on
hearing hulla, her son came and started pacifying the matter.
During the hot talking, co-accused Sunil Yadav assaulted by
Khanti to her son due to which he fell down. When the
informant came to save him, they assaulted the informant and
snatched a gold ear ring of ½ Bhar, a silver chain of 4 Bhar. It is



also alleged that when the informant's husband came to save them, they also assaulted him due to which his hand became fractured.

It has been submitted on behalf of the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in this case. He submits that actually date of occurrence is of 22.08.2019 but FIR has been lodged on 02.10.2019 and there is no explanation for the said delay. He submits that petitioners and informant are agnates and there is land dispute between the parties. He further submits that the injury is simple in nature.

In the facts and circumstances of the case, let the petitioners, above named, 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 bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Rajoun Police Station Case No. 405 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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