

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19846 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- DHANKUND District- Banka

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1. PANKAJ YADAV, son of Babulal Yadav, Resident of Village- Fulbariya, P.S.- Dhankund, District- Banka.
 2. Chandan Yadav, Son of Babulal Yadav, Resident of Village- Fulbariya, P.S.- Dhankund, District- Banka.
 3. Ajay Yadav, Son of Bholi Yadav Resident of Village- Fulbariya, P.S.- Dhankund, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Dilip Kr. No.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-11-2020 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings..

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

Prosecution case in brief is that as per FIR, the informant has made construction of his latrine in the side of road and so the passing vehicle by the road usually pushed the wall of the latrine due to which on 16.01.2020 at about 7.00 am in the morning, the informant was digging stone in the side of wall, during this course petitioner nos. 1. Pankaj Yadav, 2.



Chandan Yadav have come there and asked cause of digging stone and when the informant replied the cause of pushing in wall by the vehicle, both petitioners started abusing and when the informant raised objection then an order of accused petitioner no. 3 Ajay Yadav along with accused petitioner nos. 1 and 2 having lathi started assaulting causing bleeding fracture injury on the head of the informant and later on all the accused petitioners with intention to kill assaulted by Lathi and Khanti on his head.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to dirty village politics and also land dispute between the parties. There is general and omnibus allegation against the petitioners and there is no specific overact against them. The petitioners have got clean antecedent which is mentioned in para 3 of the bail petition.

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

I have perused the record and case diary, the injury report shows that injuries are simple in nature and petitioners bear clean antecedent.

In the aforesaid 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 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 S.D.J.M., Banka in connection with Dhankund P. S. Case No. 06 of 2020, 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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