

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73902 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

1. SANGIT YADAV Son of Ayodhi Yadav @ Bagul Yadav @ Bangal Yadav Resident of Village - Fatehpur Yadav Tola, P.S.- Industiral Area, Distt - Bhagalpur.
2. Nand Kishore Yadav @ Nunu Yadav Son of Ayodhi Yadav @ Bagul Yadav @ Bangal Yadav Resident of Village - Fatehpur Yadav Tola, P.S.- Industiral Area, Distt - Bhagalpur.
3. Gaurav Kumar Son of Lalan Yadav Resident of Village - Maheshpur, P.S.- Sourbazar, Distt - Bhagalpur.
4. Nitish Kumar Son of Lalan Yadav Resident of Village - Maheshpur, P.S.- Sourbazar, Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-03-2020 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Industrial Area Police Station Case No. 89 of 2019, disclosing offences under Sections 341/323/307/379/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners entered into the mango orchard of the informant and when objected to, they assaulted the informant by means of iron rod and also took away four buckets of mangoes from the



orchard of the informant.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case inasmuch as both the parties had jointly taken the said orchard on lease and there was dispute between the parties with regard to the share. He submits that both the parties are co-villagers.

On the other hand, learned Additional Public Prosecutor submits that three injuries have been found on the person of the informant, out of which two are simple in nature and one is grievous on the shoulder of the informant.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, they had jointly taken on lease the mango orchard and injuries caused to the informant have been found to be simple in nature except one injury on the non-vital part of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Industrial Area Police Station Case No. 89 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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