

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9689 of 2020**

Arising Out of PS. Case No.-305 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

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1. Mantu Yadav, aged about 25 years, Male, Son of Uday Yadav
2. Pintu Yadav, aged about 23 years, Male, Son of Uday Yadav, both resident of Village - Thikraur, P.S. - Makhdumpur, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar

For the State : Mr.Humayou Ahmad Khan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

7      06-01-2021                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Makhdumpur P.S. Case No. 305 of 2019 registered for the offences punishable under Sections 342, 323, 307, 427, 506/34, 325 of the Indian Penal Code.

The prosecution story in short is that the F.I.R. was lodged on the basis of the written report of one Nagendra Yadav, submitted before the S.H.O., Tehta O.P. alleging inter alia as follows :-

On 06.07.2019 at about 10.30 A.M., the informant was in the process of preparing Shradh ceremony of his mother and in that connection, he came outside from his house for



distribution of invitation card on his scooty. All of sudden, all the accused persons including the petitioners started abusing and surrounded him and they attacked on him with lathi and farsa then his brother, nephew and niece run for his saving upon which co-accused Uday Yadav, Mantu Yadav and Pintu Yadav assaulted on his head and thereafter when his brother came to save him then his brother Yogendra Yadav was also assaulted by Mantu Yadav and Pintu Yadav with iron rod, upon which his nephew Rajesh Kumar Raushan and nience Rakesh Kumar came to save them then Sabuja Devi and Pratima Kumari started assaulting with brick and stone as a result of which, his both nephew and niece also sustained injury on their head. His mobile was been snatched by Pratima Kumari and his scooty was also damaged and he was also given threatening to dire consequence if they will lodge the case.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute. There is general and omnibus allegation against the petitioners. There is case and counter case between both the parties. He further submits that the petitioners have got no any criminal antecedent.

By order dated 07.09.2020, the final injury report has



been called for from the court of learned S.D.J.M., Jehanabad in connection with Makhdumpur P.S. Case No.305 of 2019. The injury report has been received and kept at flag 'D'.

On perusal of the injury report, it appears that the injuries have been found to be simple in nature caused by hard and blunt substance.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Jehanabd in connection with Makhdumpur P.S. Case No. 305 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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