

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10582 of 2020

Arising Out of PS. Case No.-2 Year-2019 Thana- PHULPARAS District- Madhubani

1. INDRA NARAYAN YADAV Son of Late Bhagwat Yadav Resident of Village - Chhotki Sangi, P.S.- Phulparas, District- Madhubani
2. Dinesh Kumar Yadav Son of Indra Narayan Yadav Resident of Village - Chhotki Sangi, P.S.- Phulparas, District- Madhubani
3. Kamlesh Kumar Yadav Son of Indra Narayan Yadav Resident of Village - Chhotki Sangi, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-11-2021 Heard both sides.

Petitioners apprehend their arrest in Phulparas P.S.

Case No.02 of 2019 registered under Sections 448, 447, 341,
323, 324, 308, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners have committed no offence and have falsely been
implicated in the present case due to land dispute. There is a
case and counter case. The doctor has found simple injury. The
petitioners have got no criminal antecedent.

Learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail. It is submitted that petitioner no.2 is alleged to have inflicted blow with farsa on the head of the informant and petitioner no.3 is alleged to have inflicted blow with iron rod on the person of the brother of the informant. On account of which, the informant and his brother sustained injuries. Petitioner no.1 is alleged to have inflicted blow on the father of the informant, which did not hit him.

Having considered the facts and circumstances of the case, petitioner no.1 (Indra Narayan Yadav), in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing personal bond to the satisfaction of A.C.J.M. II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No.02 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far the case of petitioner nos.2 and 3, namely, Dinesh Kumar Yadav and Kamlesh Kumar Yadav is concerned, there is specific allegation of assault against them.

Having considered the facts aforesaid, I am not inclined to enlarge petitioner nos.2 and 3, namely, Dinesh

Kumar Yadav and Kamlesh Kumar Yadav on anticipatory bail.
Accordingly, their prayer for anticipatory bail is rejected.

(Arvind Srivastava, J)

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