

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39770 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- PARASBIGHA District- Jehanabad

1. GANDHI YADAV Son of Late Vishwanath Yadav Resident of Village- Lakshu Bigha, P.S.- Parasbigha in the district of Jehanabad.
2. Jagdish Yadav Son of Late Vishwanath Yadav Resident of Village- Lakshu Bigha, P.S.- Parasbigha in the district of Jehanabad.
3. Sadhu Yadav @ Awadhesh Yadav Son of Jagdish Yadav Resident of Village- Lakshu Bigha, P.S.- Parasbigha in the district of Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that owing to land dispute, the accused persons assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Specific allegation of assault is alleged against Ram Chandra Yadav. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. The alleged occurrence took place due to land dispute.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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, Jehanabad in connection with Parasbigha P.S. Case No. 12 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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