

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10304 of 2021

Arising Out of PS. Case No.-194 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

1. Badan Yadav Son Of Late Babu Ram Yadav R/O Village- Khajuri Purab Tola, P.S.- Kuchaikote, District- Gopalganj.
2. Baidyanath Yadav Son Of Late Satan Yadav R/O Village- Khajuri Purab Tola, P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vyas Kumar Mishra
For the Opposite Party/s :	Mr. Dhramveer
	Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in Kuchaikote P.S.
Case No.194 of 2020, registered for the offences punishable under
Sections 341, 323, 324, 307, 354, 379, 427, 504, 506 and 34 of the
Indian Penal Code.

The petitioners are said to have assaulted the informant
and others due to land dispute.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in the present case. It is
further submitted that there is case and counter case between the
parties. There is land dispute between the parties. It is also
submitted that both sides have sustained injuries. It is submitted
that petitioners have got no criminal antecedent as stated in para 3



of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted that from perusal of the impugned order it appears that there is specific allegation of assault by Baidyanath Yadav and Badan Yadav. Baidyanath Yadav assaulted Umresh with Farsa and the injury report corroborates the same and one injury of Umresh has been found to be inflicted by a sharp weapon. Badan Yadav is said to have assaulted Puja Kumari by rod. The injury report of Puja Kumari shows one lacerated wound on the occipital region of the head and 2-1/2”X1/4” skin deep.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, the petitioners are directed to surrender before the learned court below within four weeks from today and the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced from the order of this Court.

(Anjani Kumar Sharan, J.)

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