

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2046 of 2022

Arising Out of PS. Case No.-359 Year-2020 Thana- ARA MUFFSIL District- Bhojpur

1. PANKAJ KUMAR YADAV @ PANKAJ KUMAR S/o Ayodhya Yadav
Resident of Village - Chitrasenpur, P.S. - Ara Muffasil, District - Bhojpur.
2. Harishankar Yadav @ Hari Shankar @ Bitu Yadav S/o Surendra Yadav
Resident of Village - Chitrasenpur, P.S. - Ara Muffasil, District - Bhojpur.
3. Pradeep Yadav @ Pradeep Kumar S/o Surendra Yadav Resident of Village -
Chitrasenpur, P.S. - Ara Muffasil, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Surendra Mishra, Adv

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-08-2022 Heard learned counsel for the parties and learned APP for
the State.

Learned counsel for the petitioners undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered
for the offence punishable under section 147, 148, 149, 307,
448, 427, 504. 506 and 380 of the Indian Penal Code.

Allegedly, the petitioners entered the house of the
informant and instigated other accused persons to loot articles



from his house. On protest the petitioners assaulted the informant and his wife with iron rod due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no even a single independent witness who supported the prosecution case. There is an admitted land dispute between the parties. The injuries are simple in nature. Petitioners have three criminal antecedent, mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case , since there is an admitted land dispute between the parties and the injuries are simple in nature, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/Successor Court in Ara Muffasil P.S. Case
No. 359 of 2020, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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