

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5280 of 2022

Arising Out of PS. Case No.-490 Year-2020 Thana- BANKA District- Banka

1. SUCHIT YADAV S/o Matan Yadav R/o village- Duduli, P.S. and District-Banka
2. Ramesh Yadav @ Rakesh Yadav R/o village- Duduli, P.S. and District-Banka

... .. petitioners/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Dhananjay Kumar Pandey, Adv
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioners 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, 323, 324, 307, 379, 504 of the Indian Penal Code.

Allegedly, the petitioners along with other co-accused persons abused the informant while he was ploughing his



field. It is further alleged that the accused persons assaulted the informant's side by means of Khanti and Bamboo.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and has committed no offence. They have been falsely implicated in this case due to previous enmity. 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 a case and counter case between the parties. There is an admitted land dispute between the parties and both the parties are *gotia*. The injuries are simple in nature. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case , since 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 Banka P.S. Case



No. 490 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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