

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18048 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- BARHAT District- Jamui

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1. PANKAJ YADAV S/O YUGAL YADAV @ JUGAL YADAV R/O VILLAGE-BANJHIPYAR, P.S.-BARHAT, DISTRICT-JAMUI.
 2. KRISHNA YADAV S/O JUGAL YADAV R/O VILLAGE-BANJHIPYAR, P.S.-BARHAT, DISTRICT-JAMUI.
 3. YUGAL YADAV S/O LATE KANHAY YADAV R/O VILLAGE-BANJHIPYAR, P.S.-BARHAT, DISTRICT-JAMUI.
 4. MATHURA YADAV S/O LATE KANHAY YADAV R/O VILLAGE-BANJHIPYAR, P.S.-BARHAT, DISTRICT-JAMUI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mala Sinha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 20-01-2022 Heard the learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 385, 354 and 307 of the Indian Penal Code, registered in connection with Barhat P.S.Case No.80 of 2020.

As per the FIR, Manoj Yadav, the son of the informant was ploughing his field and Ramdhani Yadav, the husband of the informant was also cleaning the field. Meanwhile, co-accused persons along with petitioner nos. 2 and 4 came there and prohibited them from ploughing the field. They forcibly caught Manoj Yadav and started dragging him towards the forest. Then other accused persons also came and



attempted to take the informant, her husband and son towards the forest. On protest, they assaulted the informant, her husband and son. Co-accused Chhabila Yadav, who is not the petitioner, inflicted rod blow on the son of the informant. The petitioner no.1 and co-accused Samar Yadav and other persons also assaulted the informant's son. The petitioner no.3 assaulted the informant and petitioner no.2 assaulted the husband of the informant.

The learned counsel for the petitioners has submitted that there is previous land dispute between the parties. The petitioner no.2 Krishna Yadav had lodged a counter case being Barhat P.S.Case No. 81 of 2020, which has been registered under similar sections of the present case and at the time of lodging of that case the petitioner no.2 Krishna Yadav was admitted in emergency ward of Sadar Hospital in the injured condition. There is specific allegation against petitioner no.3 Yugal Yadav that he assaulted with iron rod on the temporal region of the informant which is found to be grievous in nature. Similarly, there is also specific allegation against petitioner no.2 Krishna Yadav and co-accused Samar Yadav that they badly assaulted the husband of the informant and made him injured. The injury of the husband of the informant has also been found grievous in nature.

As the injuries attributed to petitioner nos. 2 and 3, namely, Krishna Yadav and Yugal Yadav have been found grievous, as such, their prayer for anticipatory bail is **rejected**.

So far as petitioner nos. 1 and 4 namely, Pankaj Yadav and Mathura Yadav is concerned, their prayer for anticipatory bail is allowed. Let them, in the event of their arrest or surrender within four weeks from the date of communication of



this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of Sri M.K. Pandey Judicial Magistrate, 1st Class Jamui in connection with Barhat P.S.Case No. 80 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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