

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8606 of 2022

Arising Out of PS. Case No.-21 Year-2020 Thana- IMAMGANJ District- Gaya

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1. PRAMOD KUMAR YADAV @ PRAMOD YADAV Son of Musafir Yadav
Resident of Village - Matachak, P.s.- Imamganj, Distt.- Gaya.
 2. Ramdhani Yadav Son of Kali Yadav Resident of Village - Matachak, P.s.-
Imamganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offenses punishable under Sections 341, 323, 324, 325, 307, 379 and 34 of the Indian Penal Code.

The informant alleges that on 07.02.2020 at about 12:00 pm when the informant was grazing his animals, he saw the accused persons, including the petitioners, were filling soil on his land to which he objected and thereafter, it is alleged that petitioner no.1 assaulted him with *tangi* on his head causing injury thereafter, petitioner no. 2 also assaulted him with *tangi* causing injury on his head and when informant's aunt intervened, Subodh Yadav and Pintu Yadav caught her and



dashed her on the ground and Babita Devi and Sabita Devi snatched silver chain from informant's aunt and Musafir Yadav took Rs. 2,000/- from the pocket of Jagdish Yadav.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have falsely been implicated in the present case, it is next submitted that allegation is of causing assault by sharp edged weapon on head of the informant by the petitioners but there is no injury report on record with respect to assault.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 connection with Imamganj P.S. Case No. 21 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court before accepting the bail



bonds of the petitioners shall verify whether the informant has received injury as alleged in the F.I.R. or not. In the event, if there is no injury report in the case diary then the present order shall be acted upon and if there is any injury report in the case diary, then the present order shall not be given effect to.

(Satyavrat Verma, J)

Rishi/Gaurav

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