

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8237 of 2022

Arising Out of PS. Case No.-151 Year-2021 Thana- PARAIYA District- Gaya

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1. RAJENDRA YADAV S/o- Bhuneshwar Yadav Resident of Village- Dadpi, P.S.- Muffasil, District- Gaya.
 2. Devmati Devi W/o- Rajendra Prasad Resident of Village- Dadpi, P.S.- Muffasil, District- Gaya.
 3. Sanjeet Kumar S/o- Rajendra Prasad Yadav Resident of Village- Dadpi, P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-08-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned APP for the State.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 3, Sanjeet Kumar has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to him. He, therefore, seeks permission to withdraw this anticipatory bail petition with



respect to petitioner no. 3.

In view of above submission, **this criminal miscellaneous petition is dismissed as infructuous with respect to petitioner no. 3.**

So far as petitioner nos. 1 and 2 are concerned, they apprehend their arrest in connection with Paraiya P.S. Case No.151 of 2021 registered for offence punishable under sections 341, 323, 325, 307, 379, 506/34 of the Indian Penal Code.

As per allegation, petitioner no. 1 occupied more land than his share, which was protested by the informant. The specific allegation against petitioner no. 1 is that he assaulted the father of the informant with rod on his head. The allegation against petitioner no. 2, who is wife of petitioner no. 1, is that she assaulted the mother of the informant.

The learned counsel for the petitioners has submitted that both the parties are agnates. There is land dispute and the injuries suffered by the father of the informant are simple in nature and petitioners are the persons of clean antecedents.

Let **petitioner nos. 1 and 2** , in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No.151 of 2021, subject to condition as laid down under section 438(2) of the Code of Criminal Procedure.

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

(Nawneet Kumar Pandey, J)

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