

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9465 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- JANKINAGAR District- Purnia

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1. DUKHA YADAV Son of Late Guneshwar Yadav Resident of Village- Naulakhi Milik Ward No.10, P.S.- Jankinagar, District- Purnea.
 2. Tribhuvan Yadav Son of Sri Dukha Yadav Resident of Village- Naulakhi Milik Ward No.10, P.S.- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 447, 448, 504, 506 and 34 of the Indian Penal Code.

The informant alleges that on 20.07.2021 at about 9:00 am, when he was cultivating his paddy field, the named accused persons, including the petitioners, along with some unidentified accused came and started abusing the informant on account of land dispute and claimed the land as theirs, it is next alleged that when the same was objected, petitioner no.1



assaulted the informant with an iron rod on due to which he fell down, thereafter petitioner no.2 assaulted informant's nephew Parmanand with *farsa* on head causing injury, Vikram Kumar assaulted informant's brother with an iron rod causing fracture of his leg and right hand and then Ranjana Devi and Jitani Devi snatched gold chain worth Rs. 46,000/- of Sita Devi along with nose rings of Rs. 2,600/- and also assaulted causing fracture on hand of Sita Devi with *lathi*.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that no doubt there is a land dispute existing between the parties but on the date of occurrence, it were the womenfolk of both the sides who had altercation on account of which the occurrence took place in which they only assaulted each other but the male members have also been roped in false case. Learned counsel submits that no doubt it is alleged that petitioner assaulted with an iron rod on hand but then injury is simple, similarly injury of Parmanand is also simple though it is alleged to have been caused by *farsa*, thus it is submitted that there was no intention on part of the petitioner to commit a serious offence.

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 and the fact that the petitioners are persons with clean antecedent and injuries suffered are simple in nature, 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 Jankinagar P.S. Case No. 145 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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