

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22972 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- WAJIRGANJ District- Gaya

-
1. JAINANDAN YADAV Son of Baldeo Yadav Resident of Village - Ichua, P.S.- Wazirganj, Distt.- Gaya.
 2. SUNIL KUMAR SON OF MITHILESH KUMAR Resident of Village - Ichua, P.S.- Wazirganj, Distt.- Gaya.
 3. GULABCHAND YADAV SON OF LATE MUNESHWAR YADAV Resident of Village - Ichua, P.S.- Wazirganj, Distt.- Gaya.
 4. MITHILESH YADAV SON OF LATE MUNESHWAR YADAV Resident of Village - Ichua, P.S.- Wazirganj, Distt.- Gaya.
 5. MAHESH YADAV LATE MUNESHWAR YADAV @ MUNSHI YADAV Resident of Village - Ichua, P.S.- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ashok Kumar
For the Opposite Party/s :	Mr.Amitesh Kumar
	Mr. Shailendra Kumar

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

ORAL ORDER

4 29-03-2022 Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Wazirganj P.S. Case No. 05/2020 registered for offence punishable under sections 341, 448, 323, 307, 504, 506, 379, 354/34 of the Indian Penal Code.

As per allegation, the accused persons including the petitioners entered into the house of the informant. The allegation against petitioner nos.2 and 4 and co-accused Shankar Kumar is that they assaulted Nitish Kumar with iron rod on his



head and allegation against petitioner nos. 1, 3 and 5 is that they assaulted Chhatish Kumar.

The learned counsel for the petitioners has submitted that there was land dispute between both the parties. There is case and counter case and the petitioners are the persons of clean antecedent.

The injury report has been called for. It appears that the injured Nitish Kumar has sustained grievous injury, which has been attributed against petitioner no. 2, Sunil Kumar and petitioner no. 4, Mithlesh Yadav. As such, they do not deserve the benefit of anticipatory bail. Accordingly, their prayer for anticipatory **bail is rejected.**

So far as petitioner nos. 1, 3 and 5 are concerned, their prayer for anticipatory bail is allowed. Let **petitioner nos. 1, 3 and 5**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No.05/2020, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

Mahesh/-

U		T	
---	--	---	--

