

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21104 of 2021

Arising Out of PS. Case No.-393 Year-2020 Thana- KATEYA District- Gopalganj

1. MOGENDRA YADAV @ YOGENDRA YADAV SON OF ARJUN YADAV
RESIDENT OF VILLAGE- MAHANTHWA, P.S.- KATEYA DISTRICT-
GOPALGANJ
2. RANJEET YADAV SON OF MOGENDRA YADAV @ YOGENDRA
YADAV RESIDENT OF VILLAGE- MAHANTHWA, P.S.- KATEYA
DISTRICT- GOPALGANJ
3. RAKESH YADAV SON OF MOGENDRA YADAV @ YOGENDRA
YADAV RESIDENT OF VILLAGE- MAHANTHWA, P.S.- KATEYA
DISTRICT- GOPALGANJ
4. CHHOTU YADAV SON OF LATE JAYSHRI YADV RESIDENT OF
VILLAGE- MAHANTHWA, P.S.- KATEYA DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Pankaj Kumar Dubey, learned
Advocate for the petitioner and the learned APP for the
State.

The petitioners seek bail in anticipation of their
arrest in connection with Kateya P.S. Case No. 393 of
2020 dated 23.11.2020 instituted for the offences under
Sections 341, 323, 324, 325, 307, 506 and 34 of the
Indian Penal Code.

With respect to a dispute over the construction
of a toilet in a contiguous land, an occurrence is said to



have taken place in which the petitioners are alleged to have assaulted the son of the informant.

Learned counsel for the petitioners has submitted that though they have been attributed with the act of assaulting the son of the informant, but specific weapon has been attributed to them.

The victim has suffered two injuries, out of which, one has been immediately reported to be simple in nature. With respect to the other injury, no assessment could be made without further medical investigation. The victim was advised CT Scan. There is nothing on record to indicate about any report of the CT Scan.

Learned counsel for the petitioners but submits that the injury no. 1 is in the nature of laceration over head of the size of 1"x1/2". On the basis of the dimension of the injury no. 1, it has been urged that it cannot at all be life-threatening as the victim has not suffered any other collateral damage. The victim has also not complained of any other pain which could be attributed to the assault.

It has further been submitted that all of them are family members and have been made accused in this case because of the pending dispute over a toilet room which was being constructed on a disputed portion of



land.

Considering the aforementioned submissions on behalf of the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 393 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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