

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14609 of 2022

Arising Out of PS. Case No.-71 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

1. RAMESHWAR YADAV SON OF LATE KAPALI YADAV R/O VILLAGE-LOHNA, P.S.- BHAIKAB ASTHAN, DISTRICT- MADHUBANI
2. LAKSHMI YADAV @ LAXMI YADAV SON OF LATE KAPALI YADAV R/O VILLAGE- LOHNA, P.S.- BHAIKAB ASTHAN, DISTRICT- MADHUBANI
3. RAM VILASH YADAV SON OF LATE KAPALI YADAV R/O VILLAGE-LOHNA, P.S.- BHAIKAB ASTHAN, DISTRICT- MADHUBANI
4. RAJESH YADAV SON OF LATE KAPALI YADAV R/O VILLAGE-LOHNA, P.S.- BHAIKAB ASTHAN, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogendra Kumar, Adv.
For the Opposite Party/s	:	Mr.Lalan Kumar, APP
For the Informant	:	Mr.Rajeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323,



324, 307, 354(A), 379, 504/34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners have indiscriminately assaulted the informant's side by means of various weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the parties are agnates and there is an admitted land dispute between them. In the alleged occurrence, both sides have sustained injuries and there is a case and counter-case between the parties. Though their prayer for bail was rejected by the learned court below on the basis that the injuries have been inflicted on the vital part of the body but the same are simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bhairab Asthan P.S. Case No.71 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

