

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28016 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- RAHUI District- Nalanda

1. Mahendra Yadav S/O Lakhan Yadav R/O Village Kayampur, P.S Rahui, District Nalanda
2. Jitendra Yadav S/O Mahendra Yadav R/O Village Kayampur, P.S Rahui, District Nalanda
3. Savitri @ Savitri Devi W/O Mahendra Yadav R/O Village Kayampur, P.S Rahui, District Nalanda

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in Rahui P.S. Case No. 180 of 2020 registered for the offence under Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code.

Prosecution case in short is that in the backdrop of removing the sand from the land of informant, the dispute arose and in consequence thereof, the accused persons started abusing



and assaulting the informant as a result of which, the informant sustained injury. When the family members of the informant came to rescue him, they were also assaulted.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. There is admitted land dispute between the parties. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui P.S. Case No. 180 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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