

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19710 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- TRIVENIGANJ District- Supaul

1. BHOGENDRA YADAV SON OF LATE GUNESHWAR YADAV R/O VILLAGE- JAGUR, WARD NO.-11, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL, PIN - 852139
2. UMESH YADAV @ MANTUN YADAV @ UMESH KUMAR SON OF SATYANRAYAN YADAV R/O VILLAGE- JAGUR, WARD NO.-11, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL, PIN - 852139
3. KARI YADAV SON OF LATE GUNESHWAR YADAV R/O VILLAGE- JAGUR, WARD NO.-11, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL, PIN - 852139
4. BIRENDRA KUMAR YADAV SON OF BHOGENDRA YADAV R/O VILLAGE- JAGUR, WARD NO.-11, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL, PIN - 852139

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pranav Kumar
For the Opposite Party/s	:	Mr.Suman Kumari Singh
		Mr. Arun Kumar Jha

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 30-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned counsel for the informant.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no. 1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.1.

In view of the aforesaid submission, the application is dismissed as withdrawn as having **become infructuous as against petitioner no.1.**



Petitioner nos. 2, 3 and 4 apprehend their arrest for the offences alleged under Sections 144, 149, 447, 448, 504, 341, 323, 324, 307, 509, 325, 354(B), 379 and 380 of the Indian Penal Code, registered in connection with Triveniganj P.S. Case No. 263 of 2021.

As per allegation, 12 accused persons named in the FIR with 5-6 unknown persons equipped with *lathi*, *farsa* and iron rod etc. badly assaulted the family members of the informant. The specific allegation against the petitioner no.4 is that he assaulted Anmol Yadav with *farsa* on his head. The allegation against petitioner no.3 is of inflicting *lathi* blows on Anandi Yadav in his left hand.

Learned counsel for the petitioners has submitted that there is no specific allegation against petitioner no.2 Umesh Yadav @ Mantun Yadav of assaulting anybody. He has submitted further that there is land dispute between the parties and there is counter case as well.

On the other hand, learned counsel for the informant has opposed the prayer for anticipatory bail and submitted that there is specific allegation on the petitioners of inflicting deadly blows on the injured persons. The injured Anmol Yadav and Anandi Yadav have sustained grievous injuries. **Petitioner nos. 3 and 4 are the direct assailants of Anandi Yadav and Anmol Yadav, respectively. As such, they do not deserve the privilege of anticipatory bail. Their prayer for anticipatory bail is rejected.**

So far as petitioner no.2 is concerned, considering the above facts and circumstances, let him above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on



furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Assistant Chief Judicial Magistrate-I, Supaul in connection with Triveniganj P.S.Case No. 263 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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