

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21885 of 2022**

Arising Out of PS. Case No.-230 Year-2021 Thana- SHANKARPUR District- Madhepura

1. BAIDYANATH YADAV Son of Late Siya Ram Yadav Resident of Village - Madheli, Ward No. 13, P.S.- Shankarpur, District - Madhepura.
2. Kundan Yadav @ Kundan Kumar Yadav Son of Baidyanath Yadav Resident of Village - Madheli, Ward No. 13, P.S.- Shankarpur, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      30-11-2022                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

The informant alleges that the accused persons along with the petitioners came to his semi-constructed house and started demolishing the same and when informant forbade them, the accused persons assaulted him badly, further, Baidyanath assaulted him by means of arrow and Kundan assaulted him by means of lathi on his head causing injury.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely



implicated in the present case, it is next submitted that it is not a case under Section 307 of the I.P.C. as the blow was not repeated and even the injury suffered is simple in nature, which amply demonstrates that petitioners never had an intention of committing a serious occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but fairly submits that after perusal of the case diary that the injuries suffered is simple in nature.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shankarpur P.S. Case No. 230 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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