

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21409 of 2022

Arising Out of PS. Case No.-7 Year-2021 Thana- BANDEYA District- Aurangabad

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RANJAY YADAV Son of Sudeshwar Yadav Resident of Village - Mayapur,
P.s.- Bandeya, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari
For the Opposite Party/s : Mr. Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2022 Heard the parties.

Learned counsel for the petitioner 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 petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 448, 341, 323, 324, 307, 504 of Indian Penal Code.

Allegedly, the petitioner along with other accused persons entered the house of the informant and abused and assaulted the informant and his wife by means of several weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific allegation against the petitioner. There is an admitted land dispute between the parties. The occurrence took place on 26.06.2021, but the F.I.R. was lodged on 29.06.2021 i.e. after delay of 3 days for which no plausible explanation has been given, which creates a serious doubt on the prosecution case. From the perusal of the impugned order it is evident that Brijnandan Yadav received abrasion on right shoulder whereas Sunita Devi sustained lacerated wound 2.5''x 1/8'' x1/8'' on left side of skull, both injuries have been caused by hard and blunt substance. Petitioner has no criminal antecedent,, as also mention in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, there is a delay in lodging the F.I.R. and land dispute between the parties, let the above named petitioner be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Bandeya P.S. Case No.07 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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