

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30989 of 2022

Arising Out of PS. Case No.-302 Year-2021 Thana- KUMAR KHAND District- Madhepura

1. Jay Prakash Yadav @ Prakash Yadav Son of Late Rajo Yadav @ Rajendra Yadav Resident of Guriya, P.S.- Kumar Khand, District - Madhepura
2. Sanjay Yadav Son of Late Rajo Yadav @ Rajendra Yadav Resident of Guriya, P.S.- Kumar Khand, District - Madhepura
3. Sanoj Kumar @ Sanoj Yadav Son of Late Rajo Yadav @ Rajendra Yadav Resident of Guriya, P.S.- Kumar Khand, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2022 At the outset, learned counsel for the petitioner seeks permission to withdraw this application against petitioner No.1 namely, Jay Prakash Yadav.

Permission is accorded.

This application is dismissed as withdrawn against petitioner No.1.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by them apprehending their arrest in connection with Kumarkhand P.S. Case no. 302 of 2021 instituted for the offence under Sections 341, 323, 307, 325, 354A, 504 and 34 of the Indian Penal Code.



As per allegation in the FIR, when the informant with his family members had gone for performing puja at Shiv Mandir premises situated at Guriya then the accused persons along with petitioner came and started assaulting due to which the informant and others sustained injury.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to previous land dispute. It is further submitted that there is case and counter case. Both parties have sustained injuries as alleged in separate occurrence.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners no. 2 namely, Sanjay Yadav and petitioner no.3 Sanoj Kumar on bail. The petitioner nos. 2 & 3 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kumarkhand P.S. Case no. 302 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Madehpura subject to the conditions as



laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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