

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32778 of 2022

Arising Out of PS. Case No.-197 Year-2018 Thana- ANDHRAMATH District- Madhubani

1. SANJAY KUMAR YADAV @ SANJAY KUMAR SUMAN Son of Tej Narayan Yadav Resident of Village-Hariraha, P.S.-Andhramath, District-Madhubani.
2. TEJ NARAYAN YADAV Son of Late Ajab Lal Yadav Resident of Village-Hariraha, P.S.-Andhramath, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard the parties.

Learned counsel for the petitioners 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 petitioners apprehend their arrest in a case registered for the offence punishable under section 341, 323, 354, 504 of the Indian Penal Code.

Allegedly, the petitioners along with other accused persons armed with weapons came to the land of the informant and on the point of weapon started constructing building on the land. On protest, petitioners made firing and further co-accused



Sanjay Yadav gave repeated farsa blow over the head of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity, grudge and dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. In the injury report, it is stated that the injuries were caused by pointed substance and shows repetition of the blow but the injuries are simple in nature. Chargesheet has been submitted and cognizance has also been taken by the learned court below u/s 341, 323, 354, 504 of the IPC. Petitioners have no criminal antecedent, as also mentioned 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, since there is a land dispute between the parties and the injuries are simple in nature, let the above named petitioners be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Andhramath P.S. Case No.197 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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