

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37440 of 2022

Arising Out of PS. Case No.-302 Year-2021 Thana- FATEHPUR District- Gaya

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1. AMRIT YADAV SON OF BUDHAN YADAV RESIDENT OF VILLAGE-BHETAURA , P.S- PHATEPUR , DIST- GAYA
 2. UPENDRA YADAV SON OF AMRIT YADAV RESIDENT OF VILLAGE-BHETAURA , P.S- PHATEHUR , DIST- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 307, 504, 506/34 IPC.

Allegation against petitioner no.1 is that he assaulted on the head of informant by means of iron rod and allegation against petitioner no.2 is that he along with other accused persons assaulted the wife of 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. 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. It is submitted that there is an admitted land dispute between the parties. Although the allegation against petitioner no.1 is that he assaulted on head of the informant but the Doctor has found the injury to be simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since 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 connection with Fatehpur P.S. Case No.302 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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