

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37448 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

1. NIRANJAN YADAV @ NIRANJAN KUMAR YADAV SON OF LATE MAHABIR YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
2. SONU KUMAR @ DIVYANSHU KUMAR SON OF NIRANJAN YADAV @ NIRANJAN KUMAR YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
3. SADHU YADAV @ NITISH KUMAR SON OF PRAKASH YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
4. ANAND KUMAR @ BITTU SON OF LATE DURGA YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
5. AJIT KUMAR @ TITTU SON OF LATE DURGA YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
6. LALU YADAV @ LALU KUMAR SON OF BRAHMDEO YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
7. SATYAM KUMAR @ BHOLA KUMAR SON OF RANJIT YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
8. PRAKASH YADAV @ OM PRAKASH YADAV SON OF LATE KISUN PRASAD YADAV RESIDENT OF PURANI DEORY, P.S.- BARARI, DISTRICT- BHAGALPUR
9. BRAJESH KUMAR @ BRAJESH KUMAR YADAV SON OF KRISHNADEO YADAV RESIDENT OF VILLAGE- KAMLAKUND, P.S.- ISMILEPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37814 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

1. SHAILESH KUMAR JHA @ SHAILESH KUMAR SON OF LATE VRINDAWAN JHA RESIDENT OF VILLAGE- GAURIPUR, P.S.- BIHPUR, DISTRICT- BHAGALPUR
2. MOHIT KUMAR SON OF SHAILESH KUMAR JHA @ SHAILESH KUMAR RESIDENT OF VILLAGE- GAURIPUR, P.S.- BIHPUR, DISTRICT- BHAGALPUR



... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37448 of 2022)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Yogendra Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 37814 of 2022)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
Mr. Vijay Anand

For the Opposite Party/s : Mr. Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard learned senior counsel for the petitioners as well
as learned APP for the State.

Learned senior 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 under section 147, 148, 149, 341,
323, 379, 354(B), 384, 504, 506 of the Indian Penal Code.

Allegedly, the petitioners demolished the *Chajja* of the
informant and when the intruders were forbidden the petitioners
abused and assaulted the informant's side. It is further alleged
that the accused persons demanded Rs.2 lakh by way of
Rangdari.

It is submitted by learned senior 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 levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter case between the parties. The injuries are simple in nature. He further submits that there is an admitted land dispute between the parties and a title suit bearing title suit no.84/2020 is pending between them. Petitioners in Cr. Misc. No.37448 and petitioner no.2 in Cr. Misc. No.37814 have no criminal antecedent and petitioner no.1 in Cr. Misc.37814 has one criminal antecedent.

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 there is a land dispute between the parties, 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 Industrial Area P.S. Case



No.29 of 2022, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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