

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39487 of 2022

Arising Out of PS. Case No.-282 Year-2020 Thana- SUPAUL District- Supaul

1. Dinesh Yadav Son Of Dashrath Prasad Yadav R/O Village- Kumhait, P.S. And District- Supaul.
2. Rupesh Kumar Son Of Dinesh Yadav R/O Village- Kumhait, P.S. And District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 Heard both sides.

The petitioners apprehend their arrest in connection with Supaul P.S. Case No.282 of 2020, registered for the offences punishable under Sections 447, 341, 323, 308, 354, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that on 27.04.2020 at around 4.00 P.M., informant's wife was doing work at her door. In the meantime, accused petitioners being armed with iron rod came at the door of the informant and started opening his hand pump, which was objected by the wife of the informant. Thereupon the petitioners disrobed her and assaulted by means of kicks and fists. On hearing noise, when the informant came for her rescue, petitioners Dinesh Yadav and Rupesh Kumar



assaulted on his head by means of iron rod indiscriminately, due to which he sustained ruptured wound on his head and blood started oozing out. It is also alleged that co-accused, Manju Devi snatched the chain made of silver from the neck of the informant's wife.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioners and informant are full brothers and there is land dispute between the parties. It is submitted that the prayer for bail of the petitioners was rejected by the learned court below on the ground that the injuries are over the vital part of the body.

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

Taking into consideration the facts that the petitioners and informant are full brothers, there is land dispute between the parties and injuries are simple in nature, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees



twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Supaul P.S. Case No.282 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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