

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40518 of 2022

Arising Out of PS. Case No.-94 Year-2020 Thana- NAUHATTA District- Saharsa

1. Pawan Kumar Yadav @ Pawan Yadav Son Of Late Haldhar Yadav R/O Village- Naryanpur, P.S.- Nauhatta (DARHAR O.P.), District- Saharsa
2. Gaurav Kumar Son Of Gajendra Yadav R/O Village- Naryanpur, P.S.- Nauhatta (DARHAR O.P.), District- Saharsa

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147/307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

Prosecution's case in short is that on the order of co-accused Bharat Yadav, all the accused persons assaulted the informant and others. Petitioner no.1 caused fire arms injury in the thigh of the informant, whereas petitioner no.2 assaulted one Tunish Kumar with farsa causing him head injury.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is land dispute between the parties for which Title Suit No.359 of 2020 is pending before the Court below. Police after investigation submitted final form and



petitioners were not sent up for trial. However, Court below differing with the same, took cognizance of the offence.

Considering the aforesaid facts, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Saharsa in Nauhatta Police Station Case No. 94 of 2020, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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