

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55420 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- MANIGACHI District- Darbhanga

1. PRATOSH YADAV @ PARITOSH YADAV S/o Jitan Yadav Residence of Village/ Mohalla- Katma, P.S.- Mnigachi, District- Darbhanga.
2. Rambabu Yadav S/o Jitan Yadav Residence of Village/ Mohalla- Katma, P.S.- Mnigachi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Manigachi P.S. Case no. 285 of 2020 instituted for the offence punishable under Sections 341, 342, 323, 325, 307, 354(B), 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, due to land dispute, an altercation took place between the parties. All the FIR named accused persons including the petitioners armed with deadly weapons arrived there and on the order of petitioner no. 2, co-accused Ghanshyam Yadav inflicted Tengari blow on the head



of the informant. Jitan Yadav inflicted sickle blow to his wife causing cut injury in her right hand, Co-accused Rambabu Yadav given pharsa blow to Ghanshyam Yadav, brother of the informant and Paritosh Yadav inflicted pharsa blow on the head of Lalit Yadav as a result of which he died.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case due to previous enmity and personal grudge. There is case and counter case in which members of both sides have sustained injuries.

Learned counsel appearing for the informant and learned APP for the State has opposed the prayer of Bail and submitted that petitioner no. 2 is order giver and petitioner no. 1 has caused injury on vital part of the injured persons with intention of killing them.

From perusal of the case dairy, it appears that all the three injured persons, namely, Lalit Yadav, Radheshyam Yadav and Raja Ram Yadav have sustained simple injury, caused by hard and blunt substance as per doctor's opinion.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The



petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Manigachi P.S. Case no. 285 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-V, Darbhanga subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

