

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42083 of 2022

Arising Out of PS. Case No.-42 Year-2017 Thana- KHODAWANDPUR District- Begusarai

1. Sahdeo Yadav Son Of Late Ram Charitra Yadav Resident Of Vill- Narayan Pipra Ward No. 14, Ps- Chhaurahi Op, Dist- Begusarai
2. Jay Jay Ram Yadav Son Of Ram Narayan Yadav Resident Of Vill- Narayan Pipra Ward No. 14, Ps- Chhaurahi Op, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Khodawandpur (Chhodahi OP) P.S. Case No. 42 of 2017 registered for the offences punishable under Sections 341, 323, 324, 325, 379, 354(B), 504, 506 and 34 of the Indian Penal Code.

As per the prosecution, the informant has alleged that this petitioner along with other co-accused persons assaulted the



informant and his family members over a land dispute between them. Further it is alleged that the petitioner (Sahdeo Yadav) snatched the Mangalsutra of the informant's daughter and assaulted Ram Jatan Yadav who sustained fracture injury at his hand and the petitioner (Jay Jay Ram Yadav) fractured the informant's left leg.

The main submissions advanced by the learned counsel Mr. Pranav Kumar appearing for the petitioners are that there is case and counter case in between both the parties and the genesis of the occurrence is stated to be a dispute occurred between both the parties due to cutting of bamboo and consequently a free-fight took place in between them and some of the accused persons of the instant case also sustained injuries in that occurrence. Further submission is that the petitioners have clean antecedent and have been languishing in jail since 14.06.2022 and during the course of investigation they were given the benefit of Section 41A of Cr.P.C. and they did not misuse the said privilege.

Learned APP Mr. Madan Kumar appearing for the State has opposed the bail prayer.

In view of above submissions and considering the clean antecedent of the petitioners and genesis of the occurrence



mentioned in the FIR and also the facts that there is a case and counter case in between both the parties and as per statement made in Paragraph No.10 of the petition some of the accused persons of the instant matter also sustained injuries in the alleged occurrence and against the petitioners the investigation have been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Khodawandpur (Chhodahi OP) P.S. Case No. 42 of 2017.

(Shailendra Singh, J.)

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