

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 58658 of 2021

Arising Out of PS. Case No.-211 Year-2021 Thana- KAUWAKOL District- Nawada

1. RAJKUMAR YADAV S/o LATE BHATTU YADAV R/o VILLAGE-PACHAMBA, P.S- KAWAKOLE, DISTRICT-NAWADA.
2. MANTU YADAV @ MANTU KUMAR S/o RAJ KUMAR YADAV R/o VILLAGE-PACHAMBA, P.S- KAWAKOLE, DISTRICT-NAWADA.
3. BIDHAN YADAV @ BIDHAN KUMAR S/o BIRIJ KUMAR YADAV R/o VILLAGE-PACHAMBA, P.S- KAWAKOLE, DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr Md Mushtaque Alam, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-06-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioners apprehend arrest in Kawakole Police Station (for brevity, *PS*) Case No 211 of 2021 registered for the offence punishable under Sections 341, 323, 308, 379, 504 and 506/34 of Indian Penal Code.

There is allegation that over a trivial dispute regarding discharge of hand pump water on the land of the informant, the informant objected on which he was assaulted indiscriminately.

Learned counsel for the petitioners submits that there



is inordinate delay in lodging the First Information Report (for brevity, FIR) and, as per prosecution case, there was a trivial dispute and it is nothing but a false implication.

The learned APP has opposed the prayer for bail referring to the injuries, manifest from the Computed Tomography Scan Report of Vardhaman Institute of Medical Sciences, Pawapuri. He submits that injuries, sustained by the informant, corroborate the FIR.

Considering the rival submissions, the nature of injuries, as noted above, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the learned APP. Prayer for bail is rejected.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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