

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61841 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- SIMRA District- West Champaran

1. NIPPU YADAV S/O BANDHU YADAV @ BANHU YADAV R/o village- Pratappur, P.S.- Semra, District- West Champaran
2. ANIL YADAV S/O GOVIND YADAV R/o village- Pratappur, P.S.- Semra, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kr Singh No. 1
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh
For the informant	:	Sri Gopesh Raj along with Mr. Bimlesh Kr. Pandey.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-03-2022 Heard the learned counsel for the petitioners, the learned APP for the State and learned counsel for the informant.

The petitioners seek bail in a case registered for the offences under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are in custody since 16.08.2021, charge-sheet has been submitted and petitioner No.1 is a person with clean antecedent and petitioner No.2 has one antecedent.

The learned counsel for the petitioners further submits that informant alleges that while he was irrigating his sugar cane field accused, Deepak came on motorcycle and ran the



motorcycle over the pipe on which the informant threatened him. Further, because of the said occurrence informant was surrendered by accused person on 04.05.2021 who was armed with Farsa, lathi and iron rod etc, on which informant raised alarm when Jairam, Dharmendra and Babu Nand Yadav came to save the informant, but Bandhu Yadav assaulted Jairam with Farsa on his head causing injury, Umesh and Gana assaulted Dharmendra with iron rod on head causing injury and Neetu, petitioner No.1 along with Anil, petitioner 2, assaulted Babunandan with iron rod on head causing injury and Munna Yadav snatched gold chain from the neck of the informant.

The learned counsel for the petitioners fairly submits that no doubt the occurrence has taken place but there is counter case also and injured were on both sides. It is further submitted that the occurrence took place on account of trivial dispute where Deepak is alleged to have ran his motorcycle over the pipe of the informant by which he was irrigating his sugar cane field, the learned counsel submits that petitioners are not criminal but no doubt the occurrence had taken place.

The learned A.P.P. and learned counsel for the informant vehemently oppose the bail application. Learned counsel for the informant submits that the injury on Babunandan



is grievous.

At this stage, the learned counsel for the petitioners seeks permission to withdraw the bail application.

Permission is accorded.

Accordingly, this bail petitioner is dismissed as withdrawn with liberty to the petitioner to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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