

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68821 of 2021

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

1. JAINANDAN YADAV @ JAINAND YADAV @ JAINANDAN PRASAD YADAV S/o Late Ganga Ram Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
2. Mithilesh Yadav @ Mithlesh Yadav S/o Late Ganga Ram Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
3. Gajendra Yadav S/o Late Ganga Ram Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
4. Kamlesh Yadav S/o Late Ganga Ram Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
5. Bharat Yadav S/o Late Bindeshwari Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
6. Satrughan Yadav S/o Late Bindeshwari Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.
7. Prabhanand Kumar Yadav @ Prabhanand Yadav S/o Jainandan Yadav @ Jainand Yadav @ Jainandan Prasad Yadav Resident of Village- Narayanpur, Ward No.06, Sataur, P.S.- Nauhatta, (Darhar O.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pawan Kumar, Advocate
For the Opposite Party/s :	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 307, 147, 148, 149, 341, 323, 324, 325, 504 and 506 of the Indian



Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was ploughing his land, it is stated that the FIR named accused persons including the seven petitioners herein came there variously armed, started to abuse the informant, stopped him and asked him not to plough his land. Thereafter, it is stated that on the orders of Bharat Yadav (petitioner no. 5) the seven other named accused persons assaulted the informant and others. Amongst them Gajendra Yadav (petitioner no. 3) assaulted Pramod Yadav with a farsa.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. There is admitted land dispute between the parties. The allegations against the petitioners except petitioner no. 3 are general and omnibus in nature. The petitioner no. 5 is alleged to be the order giver. So far as petitioner no. 3 is concerned, he is alleged to have assaulted Pramod Yadav with a farsa, however, the said allegations are not supported by the injury report which has been brought on record as Annexure- 4 to this petition. The petitioners are in custody since 1.10.2021 and charge sheet has been submitted in the case.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the nature of allegations against these petitioners in the FIR together with the contents of the order of the learned trial Court and the injury reports brought on record as Annexure-4 series to this petition, the Court directs the above named seven petitioners to be enlarged on bail in connection with Nauhatta (Darhar O.P) P.S. Case no. 94 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saharsa.

(Partha Sarthy, J)

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