

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71972 of 2021

Arising Out of PS. Case No.-477 Year-2020 Thana- GHOSI District- Jehanabad

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1. Kaushlendra Yadav Son Of Late Sukhu Yadav Resident Of Village - Chunukpur, P.S. - Ghosi, District - Jehanabad.
 2. Dayanand @ Dayanand Kumar Son Of Kaushlendra Yadav Resident Of Village - Chunukpur, P.S. - Ghosi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 452, 324, 325, 307, 379, 504 and 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases.

The learned counsel for the petitioners submits that on account of land dispute the present occurrence took place in which it is alleged that petitioner nos.1 and 2 assaulted the



brother of the informant on head causing injury. It is next submitted that admittedly, the petitioners and the informant are relative. The informant is cousin brother of petitioner no.1 and petitioner no.2 is son of petitioner no.1. The learned counsel thus submits that on account of family dispute, the present occurrence took place.

Learned A.P.P. opposes the bail application and submits that no doubt, the injuries were found simple, but it is on the vital part of the body and the doctor has opined that it is dangerous to life. The learned counsel next submits that from perusal of the Para-3, it would manifest that an attempt has been made to conceal the criminal antecedent of the petitioners as Para-3 does not disclose the sections under which the cases were instituted against the petitioners. Learned counsel submits that merely disclosing the F.I.R. number does not fulfil the mandate of disclosing the criminal antecedent. It may be a possibility that cases are serious in nature. It is next submitted that even the doctor has opined that the injury is dangerous to life and is on vital part of the body.

Considering the submissions made by the learned Additional Public Prosecutor, the Court is not inclined to grant the privilege of anticipatory bail to the petitioners.



Accordingly, their prayer for anticipatory bail stand rejected.

However, if the petitioners surrender in the learned trial Court on or before 25.08.2022, the learned trial Court shall dispose of the case on the same day keeping in mind that the injuries are simple in nature.

(Satyavrat Verma, J)

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