

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.598 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- BIHIA District- Bhojpur

1. MUNNA YADAV Son of Kaleshwar Yadav Resident of Village- Dharahara, P.S.- Bihiya, District- Bhojpur (Ara)
2. Duryodhan Yadav Son of Kaleshwar Yadav Resident of Village- Dharahara, P.S.- Bihiya, District- Bhojpur (Ara)
3. Ram Bodhan Kumar Yadav @ Ram Bodhan Yadav Son of Kaleshwar Yadav Resident of Village- Dharahara, P.S.- Bihiya, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 354, 447, 448, 504 and 429 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners have antecedent of one case.

The informant alleges that on account of dispute relating to cutting of tail of his she-buffalo, the occurrence took



place and on the order of Baleshwar Yadav, accused Muna Yadav assaulted the informant by lathi on his head causing injury thereafter Duryodhan Yadav assaulted him on his head by lathi. It is alleged that Ram Bodhan, Anil Kumar and Vishal Kumar also assaulted the informant and when his family members came to rescue, they were also assaulted by the accused persons.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in the present case. The informant and the petitioners are agnates. There is land dispute between them. He further submits that the informant is son of Baleshwar Yadav and he has instituted this case against his father also, as such, it is submitted that this amply demonstrates that the informant for some ulterior reason is trying to implicate his family members including his father so that he can coerce them into submission to settle the land dispute. It is further submitted that the injuries of the informant are simple in nature and there is a counter case also from the side of the petitioner being Bihiya P.S. Case No. 263 of 2021. It is next submitted that from the side of the petitioner also people have suffered injuries and the injuries are grievous in nature.

Learned A.P.P. for the State and learned counsel for



the informant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned counsel for the petitioners that the informant has instituted the present case against his father also which gives an impression that he intends to coerce his family members into submission for settling the land dispute.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bihiya P.S. Case No. 264 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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