

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.1295 of 2022**

Arising Out of PS. Case No.-61 Year-2021 Thana- MADHEPUR District- Madhubani

1. GANESH YADAV @ GANESH KUMAR YADAV @ GANESH KUMAR  
Son of Maha Deo Yadav Resident of Village - Matras, Punarwas, P.s.-  
Madhepur, Distt.- Madhubani.
2. Ram Pravesh Yadav Son of Mahadeo Yadav Resident of Village - Matras,  
Punarwas, P.s.- Madhepur, Distt.- Madhubani.
3. Mahadeo Yadav Son of Late Sukhdeo Yadav Resident of Village - Matras,  
Punarwas, P.s.- Madhepur, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Dilip Kumar No.1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      22-07-2022      Learned counsel for the petitioners is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

At the outset, learned counsel for the petitioners has  
submitted that during the pendency of this anticipatory bail  
application, petitioner no.3 has been arrested and, as such, the  
same has become infructuous. He, therefore, seeks permission  
to withdraw this application as against petitioner no.3.

In view of the aforesaid submission, the application is  
dismissed as withdrawn as **having become infructuous as  
against petitioner no.3.**



Petitioner nos. 1 and 2 apprehend their arrest for the offences alleged under Sections 391, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code, registered in connection with Madhepur P.S.Case No. 61 of 2021.

As per allegation, petitioner no.1 came to the *darvaza* of the informant and thereafter five named accused persons including petitioner no. 2 came there. The specific allegation against petitioner no.1 is that he assaulted Triveni Devi with *farsa* on her head and specific allegation against petitioner no.2 is that he inflicted *farsa* blow on the head of the informant.

Learned counsel for the petitioners has submitted that there is land dispute between the parties. There is case and counter case and the case lodged by the defense side is earlier to the case lodged by the prosecution side.

It appears that there is land dispute between the parties. There is case and counter case. The injury suffered by Dilip Yadav is simple in nature and one injury suffered by Triveni Devi is simple in nature and one was fracture of metacarpal right hand which was opined as grievous in nature, caused by hare and blunt substance.

The learned counsel for the petitioners has submitted that one of the injuries on Triveni Devi is grievous, it was not



on vital part on the body. There is case and counter case.

Considering the above facts and circumstances, let petitioner nos. 1 and 2, above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Jhanjharpur, Madhubani in connection with Madhepur P.S.case No. 61 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

HR/-

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