

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10744 of 2023

Arising Out of PS. Case No.-55 Year-2021 Thana- SONBERSA District- Saharsa

1. Sachen Kumar @ Suchan Yadav @ Suchen Yadav, S/o Dileshway Yadav, R/v- Nowtoliya Ward No. 1, P.S.- Sonbarsa Raj, District- Saharsa
2. Pappu Kumar @ Pappu Yadav, S/o Dileshwar Yadav, R/v- Nowtoliya Ward No. 1, P.S.- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379, 504, 506/34 and added offence under Section 302 of the Indian Penal Code.

Prosecution case, in brief, is that on 15.04.2021 all the 14 named persons including these petitioners armed with lathi, rod and spade, abused and mercilessly assaulted the informant and his family members resulting in death of brother of the informant during course of his treatment.

Learned counsel appearing for the petitioners submits



that on account of pending land dispute between the parties a free fight took place in which both sides sustained injury. Allegation of assault is general and omnibus and no specific overt act has been alleged against the petitioners. Case and counter case. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by this co-ordinate Bench of this Court *vide* order dated 05.09.2022 passed in Cr. Misc. No. 9923 of 2022.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Judicial Magistrate, 1st Class, Saharsa in connection with Sonbarsa Raj P. S. Case No. 55 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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