

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12463 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- PALANWA District- East Champaran

1. MURARI YADAV Son of Late Ramayan Yadav R/v- Parsauna, Tapsi, P.S.- Palanwa, District- East Champaran
2. KRISHNA YADAV @ KISAN YADAV Son of Sri Ramayan Yadav R/v- Parsauna, Tapsi, P.S.- Palanwa, District- East Champaran
3. MULAYAM YADAV Son of Ramayan Yadav R/v- Parsauna, Tapsi, P.S.- Palanwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shyam Sundar Kumar, Adv.
For the Opposite Party/s :	Mr.Pawan Kumar Chaurasia, APP
	Mr.Suresh Prasad Singh No.1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 147, 148, 149, 341, 323, 324, 307 IPC.

As per the prosecution case, petitioner no.3 is said to have assaulted the father of the informant by means of farsa. It is alleged that petitioner nos.1 and 2 tried to dash the informant and his brother by tractor.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior



motive. No such occurrence, in the manner as alleged, has ever taken place. There is an admitted land dispute between the parties and for the alleged occurrence both sides have filed case and counter-case. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the injury inflicted by the petitioner no.3 upon the father of the informant has been found grievous in nature but the injury of other injured persons was found simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries inflicted by the petitioner no.3 upon the father of the informant was found grievous in nature, I am not inclined to enlarge the petitioner no.3 on anticipatory bail. The prayer for grant of bail of his behalf is hereby rejected.

However, since there is general and omnibus allegation against the petitioner nos.1 and 2 named above, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Palanwa P.S. Case No.108 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The instant application is partly allowed.

(Anjani Kumar Sharan, J)

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