

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21438 of 2023

Arising Out of PS. Case No.-757 Year-2022 Thana- HILSA District- Nalanda

1. SIKANGAR YADAV @ SIKANDAR YADAV @ RAVI SHANKAR YADAV @ SIKANDAR PRASAD Son of Late Ramnarayan Yadav @ Ramnarayan Prasad Resident of village - Laxmi Bigaha, P.S.- Hilsa, District - Nalanda.
2. Kamlesh Yadav @ Kamlesh Prasad Son of Late Ramnarayan Yadav @ Ramnarayan Prasad Resident of village - Laxmi Bigaha, P.S.- Hilsa, District - Nalanda.
3. Ram Chandra Yadav @ Ramchandra Prasad Son of Late Ramnarayan Yadav @ Ramnarayan Prasad Resident of village - Laxmi Bigaha, P.S.- Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-06-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor representing the State.

This application, for grant of anticipatory bail, arises out of Hilsa Police Station Case No. 757 of 2022, dated 04.11.2022, disclosing offences punishable under Sections 341/323/325/307/504/379/34 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that the petitioners, along with other co-accused persons, assaulted the informant, his wife and his son by means of lathi, iron-rod, country-made pistol etc. and the allegation



against the petitioner nos. 1 and 3 is that they assaulted the informant by means of lathi and iron rod on his legs, due to which the informant sustained injuries on his legs and the petitioner no. 2 has allegedly assaulted the wife and son of the informant by means of butt of the pistol.

Learned Counsel for the petitioner submits that both the parties are agnates and there is land dispute between them. He further submits that the present First Information Report has been lodged on the basis of concocted story in retaliation to the First Information Report lodged by the petitioner no. 1 against the informant and others, bearing Hilsa Police Station Case No. 634 of 2022. He further submits that the injury caused to the informant is not on the vital part of the body..

Regards being had to the submissions advanced on behalf of petitioner and taking into consideration the fact that both the parties are agnates, injury sustained by the informant is on the non-vital part of his body and the First Information Report lodged by the petitioner no. 1 is earlier to the present First Information Report, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their



arrest or surrender before the learned Court below within a period of four weeks from today, 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 1st Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Hilsa Police Station Case No. 757 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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