

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20644 of 2023

Arising Out of PS. Case No.-112 Year-2022 Thana- KHIRI MORE District- Patna

1. JAI BAHADUR YADAV S/O LATE MUSAFIR YADAV Resident of Village- Anchal Tola, P.S.- Khiri More, District- Patna.
2. SURESH YADAV @ SURESH SINGH YADAV S/O LATE MUSAFIR YADAV Resident of Village- Athmuhan, P.S.- Jharaukhar, District- East Champaran.
3. MANGAR YADAV @ KAMLESH YADAV S/O LATE MUSAFIR YADAV Resident of Village- Athmuhan, P.S.- Jharaukhar, District- East Champaran.
4. KARU YADAV S/O LATE MUSAFIR YADAV Resident of Village- Athmuhan, P.S.- Jharaukhar, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-06-2023 Heard the parties.

Petitioners apprehend their arrest in connection with Khiri More P.S. Case No. 112 of 2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 447, 448, 380, 337, 338 of the Indian Penal Code and Section 27 of the Arms Act.

As per the First Information Report the petitioners along with other accused persons armed with weapons like *Garansa, lathi, dada*, sword, pistol etc. arrived at the door of the informant in the morning of 10.11.2022, surrounded the



informant and assaulted him and his family members. It has further been alleged that the petitioner No. 1 assaulted the informant on his head by means of Farsa and petitioner Nos. 2, 3 and 4 assaulted the family members of the informant by means of weapons they were carrying in their hands.

Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and both the parties are agnates and co-sharers. He further submits that there is land dispute between them and counter case has also been lodged by the petitioner No. 4 against the informant and his family members in which one person from the side of the petitioner has been murdered. The FIR lodged by the side of the petitioner is Khiri More P.S. Case No. 111 of 2022.

Referring to Annexure-3 and 3/1 learned counsel for the petitioners submits that the injuries caused to the informant and his other family members have been found to be simple in nature.

Regards being had to the submission made by the parties and taking into consideration the facts that there is case and counter case between the parties, both the parties are agnates and co-sharers, there is land dispute between the parties



and injuries caused to the informant and others are simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Miss. Sanam Hayat, learned Judicial Magistrate, 1st Class, Danapur, Distt. Patna/court concerned in connection with Khiri More P.S. Case No. 112 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

