

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27352 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- SHERGHATI District- Gaya

1. BHUNESHWAR YADAV son of Thanu Yadav @ Thanu Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
2. Keshar Yadav son of Thanu Yadav @ Thanu Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
3. Nago Yadav @ Nageshwar Yadav son of Kamesar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
4. Prit Yadav @ Ramprit Yadav son of Kamesar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
5. Kamlesh Yadav son of Bhuneshwar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
6. Manoj Yadav son of Bhuneshwar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
7. Pramod Yadav son of Keshar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya
8. Dhaneshwar Yadav @ Dhaneshwar Yadav son of Chandar Yadav Village- Kusha Kachauri Ps- Sherghati Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner No. 3.
3. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 147, 148, 149, 323, 325, 307, 354(B) and 379 of the Indian Penal Code.

4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he was measuring his land on order of the Circle Officer, when the accused persons came variously armed and started abusing and assaulting him on account of which he sustained injury and they even tried to outrage the modesty of Punam Devi and snatched earring of Sima Devi, it is next alleged that cause of dispute is that the accused persons want to grab his land.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that there is no specific overt act of assault alleged against any of the petitioners rather specific allegation of assaulting Komal Yadav is against Arvind Yadav who is not a petitioner, it is next submitted that Komal Yadav no doubt suffered grievous injury but then the petitioners are not alleged to have assaulted and from perusal of the allegation it would manifest that the occurrence took place on account of dispute relating to land and from the side of the petitioners also Sherghati P.S. Case No. 371 of 2022 has been instituted against



the side of the informant.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sherghati P.S. Case No. 370 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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