

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30733 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- KRITYANAND NAGAR District- Purnia

1. DEVAN YADAV Son of Late Ashin Yadav Resident of village - Singhiya, P.S. - K. Nagar, Distt. - Purnea
2. Nayan Yadav @ Nayan Kumar Yadav @ Nathan Yadav Son of Late Ramchandra Yadav Resident of village - Singhiya, P.S. - K. Nagar, Distt. - Purnea
3. Ajay Yadav @ Ajay Kumar Son of Sri Devan Yadav Resident of village - Singhiya, P.S. - K. Nagar, Distt. - Purnea
4. Chandan Yadav Son of Sri Bhupen Yadav Resident of village - Raghunathpur, P.S. - Bhargama, Distt. - Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-07-2023 At the outset, the learned counsel for the petitioners submits that the petitioners no.2 and 3, have already stood arrested during the interregnum period, hence the present petition qua the petitioners no.2 and 3, is not being pressed.

Accordingly, the present petition qua the petitioners no.2 and 3, stands dismissed as not pressed.

Heard the learned counsel for the



petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with K.Nagar (Champanagar) P.S. Case No.72 of 2023, registered for offences under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

The allegation is regarding an altercation, having taken place in between the accused persons and the informant and his family members, resulting in both the parties having engaged in a scuffle.

The learned counsel for the petitioners no.1 and 4 has submitted that the petitioners no. 1 and 4 are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners no.1 and 4 has further submitted that the present case arises out of case and counter case. It is also submitted that the dispute in question, had taken place on account of bamboo sticks, having been kept on the way to the house of the petitioners, however, it is submitted that



there is no injury report on record to suggest that either the informant or his family members have sustained any injuries.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the present case arises out of case and counter case and a general and omnibus allegation has been levelled against the petitioners, apart from the fact that there is no injury report on record to suggest that any member of the prosecution party has received any injury, I deem it fit and proper to admit the petitioners no.1 and 4 to the privilege of anticipatory bail.

Accordingly, the above named petitioners no.1 and 4 are directed to be enlarged on anticipatory bail, in the event of their arrest or



surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with K.Nagar (Champanagar) P.S. Case No.72 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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