

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35593 of 2023

Arising Out of PS. Case No.-400 Year-2022 Thana- NARDIGANJ District- Nawada

1. RAM BRIKSHA YADAV SON OF LATE BASUDEO YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada
2. RAVI YADAV SON OF RAMOTAR YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada
3. MITHLESH YADAV SON OF LATE BASUDEO YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada
4. RAJKUMAR YADAV SON OF RAMOTAR YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada
5. SHIV BALAK YADAV @ SHIVALAK YADAV SON OF RAMOTAR YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada
6. ARUN YADAV SON OF RAM BRIKSHA YADAV Resident of village- Chiraiya Tola, Janki Bigha, P.S-Nardiganj, District-Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Nibash Prasad, Advocate.
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-07-2023 Heard Mr. Ram Nibash Prasad, learned counsel for the petitioners and Mr. Anuj Kumar Shrivastava, learned Additional Public Prosecutor appearing for the State.

2. Petitioners apprehend their arrest in connection with Nardiganj P.S. Case No. 400 of 2022 dated 20.11.2022 registered for the offence punishable under Sections 341, 323, 324, 325, 308, 504, 379 and 506/34 of the Indian Penal Code.

3. As per the First Information Report, on



20.11.2022 in the morning, the accused persons armed with deadly weapons i.e. rifle, pistol, *lathi*, *Garansa* etc. surrounded the house of the informant, abused him and assaulted the family members of the informant, due to which, four persons sustained injuries.

4. Learned counsel for the petitioners submits that altogether 16 persons have been made accused. The allegation against the petitioners are general and omnibus in nature. The specific allegation of assault by butt of the rifle is upon Niraj to Sunaina Devi. Learned counsel next submits that there is land dispute between the parties and both the parties are agnates. The injuries caused to the informant and others are simple in nature.

5. Regards being had to the submission made by the parties and taking into consideration the fact that both the parties are agnates, there is land dispute between them, the injuries sustained by the informant and others are simple in nature and the allegation against the petitioner are general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

6. 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 learned Judicial Magistrate, 1st Class, Nawada, in connection with Nardiganj P.S. Case No. 400 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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