

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38061 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- MAHKAR District- Gaya

1. AKHALESH YADAV @ AKHALESH KUMAR SON OF CHARITAR YADAV RESIDENT OF VILLAGE - KABIRPUR, P.S. - MAHKAR, DISTRICT - GAYA
2. LALU YADAV @ MUKESH KUMAR SON OF CHARITAR YADAV RESIDENT OF VILLAGE - KABIRPUR, P.S. - MAHKAR, DISTRICT - GAYA
3. SONI DEVI @ SONI KUMARI WIFE OF LALU YADAV @ MUKESH KUMAR RESIDENT OF VILLAGE - KABIRPUR, P.S. - MAHKAR, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar
For the Opposite Party/s : Mr. Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 379, 307, 504, 506 of the Indian Penal Code.

3. The informant alleges that on account of dispute relating to land, an altercation took place in both sides assaulted each others and seven named accused persons including the petitioners surrounded him and assaulted him on account of which he sustained injury on head and became unconscious.



4. Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the petitioner No. 3 is a women.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the petitioners and the informant are related, it is also submitted that no doubt there was an altercation and assault took place and one of the injuries suffered by the informant is grievous and is on the vital part of the body but then from bare perusal of the allegations as alleged in the FIR, it would manifest that there is no specific allegation of assault against any of the accused persons as such, based on suspicion that all the accused assaulted causing injuries would amount to travesty of justice moreso when the injured suffered only one injury.

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 Mahkar P.S. Case No. 127 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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

