

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41254 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- KATORIYA District- Banka

1. Thakur Yadav S/O Late Govind Yadav R/O Village- Nawadih, PS. Katoria, Dist. Banka
2. Udashwari @ Udashwari Yadav S/O Late Govind Yadav r/o village- Nawadih, P.S. Katoria, Dist. Banka
3. Khublal Yadav S/O Thakur Yadav R/O Village- Nawadih, Ps. Katoria, Dist. Banka
4. Pramod Yadav S/O Thakur Yadav R/O Village- Nawadih, P.S. Katoria, Dist. Banka
5. Kheman Yadav S/O Udashwari Yadav R/O Village- Nawadih, P.S. Katoria, Dist. Banka
6. Sahdi Yadav, son of Udashwari @ Udashwari Yadav R/O Village- Nawadih, P.S. Katoria, Dist. Banka
7. Nanku Yadav, son of Udashwari @ Udashwari Yadav R/O Village- Nawadih, P.S. Katoria, Dist. Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Katoria P.S. Case No. 425 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504, 506 & 34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has



alleged that on 05.11.2022 the informant kept a pumping set near govt. well for irrigating the field. In the meantime, all the accused persons named in the F.I.R. came and threw the pump-set and on protest all the accused persons along with the petitioners assaulted the informant and his family members with Tanga, Farsa and Lathi.

4. Learned counsel for the petitioners submits that there is general and omnibus allegation against petitioners. Both the sides are next door neighbours and are agnates and due to land dispute the petitioners have been falsely implicated in this case.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein there is a case and counter case between the parties, both sides have allegedly assaulted each other, the injuries caused to the informant and his family members are said to be simple in nature as per Annexure '2' and the injury of the informant of Katoriya P.S. Case No. 426/2022 (petitioner no. 1 in the present case is said to be serious in nature), the petitioners have otherwise no criminal antecedent and they seem to have quarrel on account of some property disputes and they are



agnates, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoria P.S. Case No. 425 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

