

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40340 of 2023

Arising Out of PS. Case No.-291 Year-2017 Thana- NATHNAGAR District- Bhagalpur

LAXMAN YADAV SON OF LATE CHHOTE YADAV VILLAGE
ANATHALAYA ROAD NATHNAGAR THANA NATHNAGAR DISTRICT
BHAGALPUR Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-08-2023 Heard the parties.

2. Petitioner apprehends his arrest in connection with Nathnagar PS Case No. 291/2017 dated 25.06.2017 registered for the offence punishable under Sections 341/323/307/354(B)/379/504/506/ 34 of the IPC.

3. As per FIR, petitioner has assaulted the informant by means of iron rod on her head due to which she sustained head injury.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to land dispute going on between the petitioner, his brother as well as son of the informant for which a Title Suit bearing TS No. 684/2012 is pending. He next submits that in fact the son of the informant has purchased the disputed land from the brother of the petitioner who was erecting a wall upon the disputed land for which a counter case bearing Nathnagar PS Case no.



292/2017 has been lodged by the petitioner against the son of the informant. He further submits that from perusal of the order impugned, it appears that the investigation of the case is still going on and the petitioner was given benefit of Section 41A of the CrPC. It is also submitted that the injury sustained by the informant is simple in nature.

5. Regards being had to the submissions made by the parties, taking into consideration that there is a case and counter case between the parties due to land dispute and the injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar PS Case No. 291/2017, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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