

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39942 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- PANDARAK District- Patna

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1. DAHARU YADAV Son of Late Laxmi Yadav Resident of village - Gowasha Shekhpura, P.s. - Pandarak, Distt. - Patna
 2. VIKASH KUMAR Son of Daharu Yadav Resident of village - Gowasha Shekhpura, P.s. - Pandarak, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. Petitioners seek regular bail in connection with Pandarak P.S. Case No.12 of 2023 dated 15.01.2023 registered for the offence(s) punishable under Section(s) 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The main submissions advanced by the learned counsel for the petitioners are that there is an old enmity between the informant and the petitioners on account of land dispute, petitioners are farmer and admittedly, the informant did not sustain injury in the alleged firing committed by the petitioner No.2 but the allegation of firing is completely false



and the informant sustained simple injury and the petitioner No.2 has fair and clean antecedent and petitioner No.1 is accused in one another case and petitioner No.1 has been languishing in jail since 20.03.2023 and petitioner No.2 has been languishing in jail since 18.03.2023.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that in the firing which was allegedly committed by petitioner (Vikash Kumar) the informant did not sustain any type of injury and admittedly there is a land dispute in between both the parties and the allegation as to assaulting the prosecution party by means of lathi and danda is general and omnibus against the petitioners, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail in connection with Pandarak P.S. Case No.12 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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