

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45015 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- BAHERI District- Darbhanga

1. Mahesh Yadav S/O Late Ayodhi Yadav R/O Village- Bandihuli, Ps- Baheri, Distt.- Darbhanga.
2. Chandrabir Yadav S/O Mangnu Yadav R/O Village- Bandihuli, Ps- Baheri, Distt.- Darbhanga.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 143, 341, 323, 324, 308, 447, 379, 504 & 34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against 20 named accused persons with allegation that they all have gathered at the house of the informant and started abusing the informant and his wife. Upon oppose, the accused persons started threatening to the informant.

4. Counsel for the petitioners submits that in the F.I.R., there were 20 named accused persons and the allegation against one Chandrabir Yadav (petitioner No.2) that he has

attacked by knife whereas the allegation against the petitioner No.1 is that he has put Gamchha in the neck of the informant.

5. Counsel further submits that for the same date and place of occurrence, there is a case and counter-case. The petitioners' side has filed the criminal case i.e., Baheri P.S. Case No. 181 of 2022 whereas the informant's side has filed a case i.e., Baheri P.S. Case No. 180 of 2022. Counsel submits that the injury report has been annexed and the injury shows that it has been caused by hard weapons.

6. Counsel further submits that the litigation took place from both the sides and under the similar facts and circumstances, the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 03.02.2023, 27.06.2023 and 11.07.2023 passed in Cr. Misc. Nos. 73936 of 2022, 21933 of 2023 and 25094 of 2023.

7. Learned APP for the State opposes the prayer for bail.

8. In the facts and circumstances., let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like

amount each to the satisfaction of the learned Addl. Chief
Judicial Magistrate, VII, Darbhanga in connection with Baheri
P.S. Case No.180 of 2022 , subject to the conditions as laid
down under Section 438(2) of the Cr.P.C..

(Dr. Anshuman, J.)

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