

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41203 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- HARSIDHI District- East Champaran

1. ABHAY YADAV Son of Shambhu Sharan Yadav Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran
2. Dayanand Yadav Son of Pitambar Bhagat Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran
3. Mukul Kumar Son of Ravindra Bhagat Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran
4. Nirbhay Yadav Son of Shambhu Sharan Yadav Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran
5. Brij Bihari Kumar Son of Pitambar Bhagat Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran
6. Pitambar Yadav Son of Late Ramdeo Bhagat Resident of village - Mangnuwa, P.S. - Harsidhi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-08-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No. 438 of 2022, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 447, 448, 379 and 504 of the Indian Penal Code.

3. As per allegation, all the accused persons, including the petitioners came there and started abusing the informant.



The petitioner assaulted the informant with *lathi*, iron rod and *farsa*. Co-accused Dayanand Yadav assaulted him with *Garasa* on his head.

4. The learned counsel for the petitioners has submitted that the petitioners are the agnates. There is land dispute between them. There is case and counter case. Both the parties have sustained injuries. He has submitted further that the injuries suffered by the injured persons of this case are simple in nature.

5. On the other hand, the learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 438 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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