

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44917 of 2023

Arising Out of PS. Case No.-305 Year-2023 Thana- MADHEPURA District- Madhepura

1. Subhash Yadav Son Of Late Hari Nandan Yadav Resident Of Village- Dhurgaon, Narsingh Bag, Ward No. 01, Ps- Madhepura (Bharrahi Op) Distt- Madhepura
2. Sintu Yadav @ Sintu Kumar Son Of Subhash Yadav Resident Of Village- Dhurgaon, Narsingh Bag, Ward No. 01, Ps- Madhepura (Bharrahi Op) Distt- Madhepura
3. Rakesh Kumar @ Khushboo Son Of Subhash Yadav Resident Of Village- Dhurgaon, Narsingh Bag, Ward No. 01, Ps- Madhepura (Bharrahi Op) Distt- Madhepura
4. Ankesh Yadav @ Ankesh Kumar Son Of Subhash Yadav Resident Of Village- Dhurgaon, Narsingh Bag, Ward No. 01, Ps- Madhepura (Bharrahi Op) Distt- Madhepura
5. Ful Kumari Devi @ Ful Kumari Wife Of Subhash Yadav Resident Of Village- Dhurgaon, Narsingh Bag, Ward No. 01, Ps- Madhepura (Bharrahi Op) Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-09-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner Nos. 3 and 4.

2. Permission is granted.

3. The anticipatory bail application with regard to petitioner Nos. 3 and 4 is dismissed as withdrawn.

4. Heard learned counsel for the petitioners and the



State.

5. Petitioner Nos. 1, 2 and 5 apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354(A), 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

6. Prosecution case, in brief, is that these petitioners along with other accused persons assaulted the informant and his sons by means of various weapons as a result of which they sustained injuries.

7. Learned counsel for the petitioners submits that due to long standing land dispute, a free fight took place between the parties in which both sides sustained injuries. Specific accusation of assault is against co-accused Rakesh Kumar and Ankesh Yadav. So far these petitioners are concerned, no specific overt act is alleged against them. Case and counter case. Petitioners claim clean antecedent.

8. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner Nos. 1, 2 and 5 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi O.P.) P. S. Case No. 305 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. This case is disposed of.

(Prabhat Kumar Singh, J)

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