

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44177 of 2023

Arising Out of PS. Case No.-231 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. RAMPRAVESH YADAV son of Dular Yadav Village- Horidih Ps-
Neemchak Bathani Dist- Gaya
2. Sarun Kumar @ Sarun Yadav son of Dular Yadav Village- Horidih Ps-
Neemchak Bathani Dist- Gaya
3. Sunita Devi wife of Ram Pravesh Yadav Village- Horidih Ps- Neemchak
Bathani Dist- Gaya
4. Soni Devi wife of Sarun Kumar @ Sarun Yadav Village- Horidih Ps-
Neemchak Bathani Dist- Gaya
5. Nitish Kumar son of Rampravesh Yadav Village- Horidih Ps- Neemchak
Bathani Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Neemchak Bathani P.S. Case No.231 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 341, 336, 379, 307 and 427 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. As per the prosecution story, the allegation against



the petitioners is that they had assaulted the informant and his family members by iron rod due to which they sustained head injury.

4. Learned counsel for the petitioners submits that there is no specific allegation of commission of overt act against the petitioners and there is a land dispute between the parties. Learned counsel submits that there is a case and counter case and the injury is simple in nature.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submission that there is no specific allegation of commission of overt act against the petitioners, there is a land dispute between the parties, case and counter case and the injury is simple in nature as also looking into the observations of the learned Sessions Judge, Gaya, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Neemchak Bathani P.S. Case No.231 of 2022, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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