

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53183 of 2023

Arising Out of PS. Case No.-411 Year-2022 Thana- TEKARI District- Gaya

1. Mahendra Yadav Son Of Ramkrit Yadav @ Jagdish Yadav @ Jagdish Prasad Yadav Village Raniganj Ps Tekari Dist Gaya
2. Jagdish Prasad @ Ramkrit Yadav @ Jagdish Prasad Yadav Son Of Late Somar Prasad Village Raniganj Ps Tekari Dist Gaya
3. Rajkalia Devi Wife Of Jagdish Prasad @ Jagdish Yadav Village Raniganj Ps Tekari Dist Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Tekari P.S. Case No. 411 of 2022, registered on 03.07.2022 for the offences under Sections 447, 448, 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the informant in the background of dispute over throwing of garbage.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. The petitioners are agnates to the informant and due to land dispute they have been falsely implicated in this case. The petitioner side has lodged Tekari PS Case No. 444/2022 for the offences under Section 307, 308 and other Sections of the IPC against the informant's side. The persons of the petitioners' side also received injuries for which there is no explanation. Moreover, the parties have entered into compromise and have filed a petition before the learned Court of A.C.J.M-VI at Gaya. The injury report of persons from both sides have also been annexed and none of them were found to be grievous. Further the allegations are general and omnibus in nature.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter-case between the parties and further considering the simple nature of injuries of the victims, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two



sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya/concerned court in connection with Tekari P.S. Case No. 411 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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