

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57651 of 2023**

Arising Out of PS. Case No.-55 Year-2023 Thana- AANDAR District- Siwan

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1. SANDEEP YADAV Son of Vidayarthi Yadav VILLAGE - KANHAULI PS - M.H.NAGAR DISTRICT - SIWAN
  2. Baliram Yadav Son of Raj Muni Yadav VILLAGE - KANHAULI PS - M.H.NAGAR DISTRICT - SIWAN
  3. Jaglal Yadav Son of Ugam Yadav VILLAGE - KANHAULI PS - M.H.NAGAR DISTRICT - SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Chandra Mohan Singh  
For the Opposite Party/s : Mr.Mohammed Arif

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      12-10-2023      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application on behalf of petitioner no.3 submitting that during pendency of this application petitioner no.3 has surrendered before the learned Court below.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn on behalf of petitioner no.3.

5. Now, this application survives for petitioner nos. 1 & 2 only.



6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506 of the Indian Penal Code.

7. Allegedly, all the accused persons including the petitioners came to the informant and started abusing him. On objection, petitioner nos. 1 & 2 assaulted the informant by means of iron rod and *lathi*, respectively.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are neighbours. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. The injury sustained by the informant is simple in nature. Petitioners no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent, as mentioned in para-3 of this application.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case and considering the nature of the injury sustained by the



informant, the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Andar (M.H. Nagar) P.S. Case No. 55 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

11. Accordingly, this application is partly allowed.

**(Anjani Kumar Sharan, J)**

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