

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59989 of 2023

Arising Out of PS. Case No.-209 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

1. Bindu Yadav @ Bindu Singh S/o- LATE NORANGI YADAV Village- Natesar P.S.- Neemchak Bathani Dist- Gaya
2. Niranjana Kumar @ Niranjana Yadav Son of Bindu Yadav @ Bindu Singh Village- Natesar P.S.- Neemchak Bathani Dist- Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Ms. Manisha Prakash, Advocate Mr. Durga Nand, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-10-2023 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. 209 of 2020 registered for the offences punishable under Section 341, 323, 325, 308, 504, 34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 20.11.2020 at 08:00 A.M. when the informant went through the filed of Bindu Yadav (petitioner no. 1) on his tractor, some dispute arose between the parties. It is further alleged that on the same day at 07:00 P.M. when the informant and his brother were returning after attending *bhoj*, these two petitioners assaulted them by



lathi and when the father of the informant came to rescue them, he was also assaulted.

4. Learned counsel for the petitioners submits that these petitioners are innocent and have been implicated in this case. It is submitted that the parties are co-sharers and there is case and counter-case between the parties. Learned counsel submits that the dispute has been amicably settled and joint petition of compromise has been filed in the learned court below. It is further submitted that the injuries are simple in nature.

5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it appears that the parties are co-sharers, there is case and counter-case between the parties, they have settled their dispute amicably and a joint petition of compromise has been filed in the learned court below as also that the injuries are simple in nature, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Neemchak Bathani P.S. Case No. 209 of 2020 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 learned A.C.J.M Xth, Gaya, 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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