

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58491 of 2022

Arising Out of PS. Case No.-255 Year-2019 Thana- NAUTAN District- West Champaran

1. LALLAN YADAV Son of Rajendra Yadav Resident of village - Gahiri Kothi, Police Station - Nautan, District - West Champaran.
2. Kallu Yadav Son of Rajendra Yadav Resident of village - Gahiri Kothi, Police Station - Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 341, 323, 307, 312, 504, 34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons abused and assaulted the informant. Petitioner no.1 is said to have thrashed the informant on ground by holding her hair and hit the informant on his stomach by his leg. Petitioner no.2 assaulted the informant by fist.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence. They have been falsely implicated in this case due to land dispute. No such occurrence as alleged ever took place. From the perusal of FIR, it is clear that there is previous dispute amongst the



parties. Both the parties are agnates and due to land dispute amongst them, this false and concocted case has been filed against the petitionrs. Though the allegation against the petitioners is that they assaulted the informant, but the informant has not sustained any injury over her body. Later on, the matter has been amicably compromised between both the parties and hence the compromise petition has also been filed in the lower court. Petitioner has no.1 has no criminal antecedent where as petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail. Having regard to the facts and circumstances of the case, let 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 Court below where the case is pending/successor Court in connection with Nautan P.S. Case No. 225 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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