

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60069 of 2022

Arising Out of PS. Case No.-241 Year-2022 Thana- LAXMIPUR District- Jamui

1. Ranjeet Yadav S/o Sukhdeo Yadav R/v- Singhiya, P.S.- Laxmipur, Distt- Jamui.
2. Birendra Yadav S/o Sukhdeo Yadav R/v- Singhiya, P.S.- Laxmipur, Distt- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks' from today.

Heard Mr. Niranjan Parihar, learned counsel appearing on behalf of the petitioners and Mr. Binod Kumar, learned Additional Public Prosecutor for the State.

The petitioners seek regular bail, who is in custody in connection with Laxmipur P.S. Case No. 241 of 2022 registered for the offences punishable under Sections 323, 324, 341, 337, 448, 354B, 307, 379, 504 and 506/34 of the Indian Penal Code.



The prosecution case is based on a written report filed by the informant alleging therein that on account of trivial matter, all the accused persons including the petitioners entered into her house and started abusing. When protest was made, all the accused persons brutally assaulted the informant, her daughter and mother-in-law. It has been specifically alleged that the petitioner no.1 assaulted the daughter of the informant by means of axe and the petitioner no.2 assaulted the informant by means of *lathi* apart from other allegation.

Learned counsel appearing on behalf of the petitioners submits that from the FIR, it is evident that both the petitioners and the informant are next door neighbour. The dispute was with regard to the entrance of she-buffalo in the house of the informant, which resulted into free fight between both the family members. He further submits that so far the injuries sustained to the informant and her daughter are concerned, the opinion regarding nature of the injuries has been reserved. He next submits that from the injury report, it appears that the injuries are not fatal and the petitioners are having men of fair antecedent in custody since 20.08.2022 and there is no allegation that they are involved in intimidating witnesses/informant and tampering with the evidence.



On the other hand, learned counsel for the State vehemently opposed the bail application and submits that there is specific allegation against both the petitioners that they assaulted the informant and her family members.

Regard being had to the submissions made on behalf of the parties and considering the genesis of the dispute and the nature of injuries coupled with the fair antecedent of the petitioners and their period of incarceration, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Laxmipur P.S. Case No. 241 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be



cancelled.

(Harish Kumar, J)

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