

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60413 of 2022**

Arising Out of PS. Case No.-304 Year-2022 Thana- NAUTAN District- West Champaran

1. BAIDHNATH YADAV @ VAIDHNATH YADAV, Son of Thakur Yadav, Resident of Village- South Telua, P.S.- Nautan, District- West Champaran
2. SANJAY YADAV, Son of Baidhnath Yadav @ Vaidhnath Yadav, Resident of Village- South Telua, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      01-02-2023      Heard learned counsel for the petitioners and learned APP for the State.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in connection with Nautan P.S. Case No. 304 of 2022 registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302 and 504 of the Indian Penal Code.

The informant has alleged that 11 named accused persons, including the petitioners, have assaulted him and his family members. The parties were fighting over ownership of some land.

The learned counsel for the petitioners submits that the F.I.R.



discloses specific allegation of assault against co-accused Shivnath Yadav and Rahul Yadav and fatal assault on informant's son by Krishna Yadav. The petitioner no. 2 along with co-accused Jitendra Yadav has allegedly assaulted the informant by rod. It is submitted that the injury report of the informant opines the nature of injuries sustained to be simple caused by hard and blunt substance. Against the petitioner no. 1, there is no specific assault alleged. Both are having clean antecedents and they are in custody since 04.06.2022. Investigation is complete.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, nature of general and omnibus allegations, the injuries sustained by the informant, clean antecedent and period of custody, this Court is inclined to allow the petitioners' prayer for bail.

Prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate in Nautan P.S. Case No. 304 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented



on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

SUMIT/-

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