

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61373 of 2023

Arising Out of PS. Case No.-418 Year-2020 Thana- ATRI District- Gaya

1. Vijay Yadav, aged about 32 years (Male), son of Tetar Yadav, resident of village- Narawat Police Station- Atri, District- Gaya
2. Kamlesh Yadav, aged about 42 years (Male), son of Chandradip Yadav @ Deep Yadav, resident of village- Imaliyachak, Police Station- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Atri PS Case No.418 of 2020 dated 24.11.2020, instituted under
Sections 147, 149, 341, 323, 325, 307, 504, 506 of the Indian
Penal Code.

3. The allegation against the petitioners is that they
along with other assaulted the informant with deadly weapon
due to which he got grievous injuries on the vital parts. When
the informant's son came to his rescue then accused person also
assaulted him and snatched a golden locket worth rupees twenty
thousand.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners. Allegation is general and omnibus. Further submission is that the petitioners and the informant are close agnates and there is case and counter case between the parties. Co-accused, Anil Yadav, has filed a case against the informant and others vide Atri PS Case No.419 of 2020 dated 24.11.2020. It is also submitted that there is land dispute between the parties due to which this false case has been instituted. Lastly, it is submitted that petitioner no. 1 has one criminal case pending against him and the petitioner no. 2 has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in Atri PS Case No.418 of 2020 dated 24.11.2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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