

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65964 of 2022

Arising Out of PS. Case No.-173 Year-2022 Thana- MAHARAJGANJ District- Siwan

1. WAKIL YADAV S/O GORAKH NATH YADAV Resident of Village-Paterha, P.S.- Maharajganj, District- Siwani.
2. OM PRAKASH YADAV S/O BAIJNATH YADAV Resident of Village-Paterha, P.S.- Maharajganj, District- Siwani.
3. AJAY YADAV S/O BAIJNATH YADAV @ BAIJNATH RAVAT Resident of Village- Paterha, P.S.- Maharajganj, District- Siwani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 324, 307, 354, 379, 427, 504, 506/34 of the Indian Penal Code.

Allegedly, the petitioners alongwith all the co-accused persons have indiscriminately assaulted the informant's side by means of deadly weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. The petitioners and the informant are *gotias* and a land dispute is going on among them. There is no specific overt act against the petitioners. The specific allegation is against the co-accused Jagnarnath Yadav to assault the informant by means of sword due to which he sustained grievous injuries. Petitioners have two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Maharajganj P.S. Case No.173 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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