

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66297 of 2023

Arising Out of PS. Case No.-163 Year-2020 Thana- NAUTAN District- West Champaran

1. Baleshwar Yadwa @ Baleshwar Yadav Son Of Dhandhari Yadav Resident Of Village Kotraha, Ps- Nautan, Dist- West Champaran
2. Vindhyachal Yadwa @ Vindhyachal Yadav Son Of Dhandhari Yadav Resident Of Village Kotraha, Ps- Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra
For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 18-10-2023 1. Heard learned counsel for the petitioners and the State.
2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 341, 323, 325, 307, 337, 379, 504 and 506 of the Indian Penal Code.
3. As per the prosecution case, petitioner no. 1 namely *Baleshwar Yadwa @ Baleshwar Yadav* along with co-accused *Amarjeet Yadwa* assaulted the wife of the informant and *Shivnath Yadav*. There is no specific allegation of assault against petitioner no. 2.



4. It is submitted on behalf of the petitioners that dispute over passage led to an altercation between the parties in which both sides sustained injuries. Case and counter case. There is no allegation of assault against petitioner no. 2 namely *Vindhyachal Yadwa @ Vindhyachal Yadav*. So far as petitioner no. 1 is concerned, he along with co-accused *Amarjeet Yadwa* are alleged to have assaulted the wife of the informant and *Shivnath Yadav*. Petitioners claim clean antecedent.

5. However, learned counsel for the State vehemently opposed the prayer for bail and has submitted that injury caused by petitioner no. 1 is grievous in nature.

6. Considering the accusation and nature of injury, anticipatory bail with regard to petitioner no. 1. *Baleshwar Yadwa @ Baleshwar Yadav* is rejected.

7. So far as petitioner no. 2 is concerned, this anticipatory bail is allowed and it is ordered that let the above named petitioner no. 2 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P. S. Case No. 163 of



2020, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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