

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64621 of 2022**

Arising Out of PS. Case No.-362 Year-2019 Thana- BELHAR District- Banka

Mukesh Yadav Son Of Late Anil Yadav R/O Vill.- Taraiya, P.S.- Belhar,
Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 17-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Belhar P.S. Case No. 362 of 2019, registered under Sections 341, 323, 307, 452, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case, in brief, is that accused persons named in the F.I.R. variously armed with weapon came at the door of the informant and started abusing on the point of closing the way land. When informant made objection, Mukesh Yadav (petitioner) gave iron rod blow on the the head of informant. The accused persons, named in the F.I.R. brutally assaulted his children and the accused Ashish Yadav, Rakesh



Yadav and Sunita Devi have assaulted to his wife due to which she sustained serious injuries.

Learned counsel appearing on behalf of the petitioner submitted that there is land dispute between the parties. There is case and counter case with respect to the incidence, which has taken place on 22.11.2019. The informant side had committed murder of husband of co-accused Sunita Devi, one of the co-accused named in the F.I.R.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the rival submission made on behalf of the parties. There is admitted land dispute between the parties and one of the member of the petitioner side had murdered by the informant side for which petitioner side also filed Belhar P.S. Case No. 306 of 2019, which was registered under Section 302/34 of the I.P.C.

Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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, Banka in connection with Belhar P.S. Case No. 362



of 2019, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Purnendu Singh, J)

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