

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64588 of 2022

Arising Out of PS. Case No.-209 Year-2020 Thana- KOTWA District- East Champaran

1. WAKIL PRASAD YADAV @ WAKIL RAI Son of Banaras Rai Resident of Village- Jagir Karariya, P.S.- Kotwa, District- East Champaran
2. PITAMBAR RAI Son of Banaras Rai Resident of Village- Jagir Karariya, P.S.- Kotwa, District- East Champaran
3. DAROGA YADAV @ SACHIDANAND Son of Badri Yadav Resident of Village- Jagir Karariya, P.S.- Kotwa, District- East Champaran
4. MANTU KUMAR YADAV @ MANTU KUMAR SON OF RAJENDRA RAI Resident of Village- Jagir Karariya, P.S.- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 324, 379 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on 27.06.2020 these petitioners, in order to grab the land, came to the house of informant, armed with Lathi, Bhala, iron-rod and Farsa, and assaulted the informant and others as a result of which four persons sustained injuries.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the case. It is further submitted that present case is counter blast of Kotwa PS case No. 195/ 2020 which was lodged by petitioners' side against the informant and others. Due to land dispute the occurrence took place and police after investigation submitted final form. Petitioners have got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that there is specific allegation of assault against these petitioners and four persons sustained injuries in the incident.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall 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 Additional Chief Judicial Magistrate-X, East Champaran, Motihari in connection with Kotwa PS case No.209/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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