

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67052 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- PARASBIGHA District- Jehanabad

1. SURENDRA YADAV Son of Dularchand Yadav R/V- Nauru Tola Darbari Bigha, P.S- Parasbigha Dist- Jehanabad
2. Dularchand Yadav Son of Late Jageshwar Yadav R/V- Nauru Tola Darbari Bigha, P.S- Parasbigha Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, there is allegation against the petitioner no.1 to assault the informant and petitioner no.2 to assault Ramjee Yadav.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that on account of cutting ridge and



amalgamating the plot of the land, said occurrence have taken place. He submits that the informant and his grandson reported simple injuries. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that the injuries found upon the Ramjee Yadav are grievous in nature. Hence, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is specific allegation against the petitioner no.2 to assault Ramjee yadav and the injuries found upon the victim are grievous in nature, I am not inclined to enlarge the petitioner on bail in connection with Parasbigha P.S. Case No. 136/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

Insofar as petitioner no.1 is concerned, the injuries found upon the victim is simple in nature, let the petitioner no.1, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below,



where the case is pending/Successor court, in connection with
Parasbigha P.S. Case No.136/2022, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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