

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72492 of 2022

Arising Out of PS. Case No.-338 Year-2022 Thana- BAHADURPUR District- Darbhanga

1. SAVALIYA YADAV @ SAVARIYA YADAV Son of Ghuran Yadav R/v- Kapchhahi, P.S.- Bahadurpur (Sonki O.P.), District- Darbhanga.
2. RADHA DEVI Wife of Fulo Yadav R/v- Kapchhahi, P.S.- Bahadurpur (Sonki O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with Bahadurpur P.S. Case No.338 of 2022, registered for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code as well as under Sections 25(1-b)a/26/35/27 of the Arms Act.

The petitioners alongwith Fulo Yadav and 4-5 unknown persons started cultivating the land of the informant. When the informant forbade them, co-accused, Fulo Yadav fired upon the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is admitted land dispute between the parties, which is clear from the FIR itself. It is also submitted that no specific overt act is alleged against the petitioners. The specific allegation is against Fulo Yadav.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that no specific overt act is alleged against the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga in connection with Bahadurpur P.S. Case No.338 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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