

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76280 of 2023**

Arising Out of PS. Case No.-365 Year-2022 Thana- KAHALGAON District- Bhagalpur

1. BINDESHWARI YADAV @ BHOLI YADAV @ PHOTI YADAV @ JHOTI YADAV son of Late Bateshwar Yadav Village- Kumar Sahi Ps- Kahalgaon Dist- Bhagalpur
2. Surendra Yadav son of Jhoti Yadav @ Bindeshwari Yadav @ Bholi Yadav @ Photi Yadav Village- Kumar Sahi Ps- Kahalgaon Dist- Bhagalpur
3. Sanni Yadav @ Sanni Kumar son of Jhoti Yadav @ Bindeshwari Yadav @ Bholi Yadav @ Photi Yadav Village- Kumar Sahi Ps- Kahalgaon Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Kahalgaon P.S. Case No. 365 of 2022 dated 26.04.2022, G.R. No. 1592 of 2022 registered for the offences punishable u/ss 147, 341, 323, 504, 506, 379 and 352 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted the informant and his family members. On being objected by the informant,



she was thrown on the ground by catching her hair and was assaulted with fists. When informant's sons came to rescue her, the Bindeshwari Yadav (petitioner) tied them with rope and also snatched Rs. 4000/- from Chotelal Yadav and threatened to kill them if any case lodged.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. The petitioners have no concern with the alleged offence. No case is made out against the petitioner. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 19.04.2023 passed in Cr. Misc. No. 9260 of 2023. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction



of learned court concerned, Bhagalpur in connection with Kahalgaon P.S. Case No. 365 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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