

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76802 of 2023

Arising Out of PS. Case No.-423 Year-2022 Thana- RAJAOLI District- Nawada

Devan Yadav son of Late Devki Yadav R/o- Bhaijimitta Ps- Rajoli Dist-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

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

ORAL ORDER

2 21-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Rajoli P.S. Case No. 423/2022 dated
15.08.2022 registered for the offences punishable under
Sections 341, 323, 325, 307, 379, 504 and 506 read with 34 of
the Indian Penal Code.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have assembled and started
abusing the informant and asked the informant not to plough the



field otherwise they would kill them. On protest, the co-accused Ramashish Yadav slammed him on the ground and all the other accused started assaulting the informant. In the meantime, the petitioner and the co-accused persons assaulted the informant and the co-accused Mahadev Yadav assaulted him with *lathi* causing injury. Thereafter, the petitioner and the co-accused assaulted the informant with iron rod on his nose causing injury. When the informant brother came to rescue, the accused persons also assaulted them.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case on account of land dispute. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The specific allegation of assault is against the co-accused Mahadev Yadav. Learned counsel has submitted that the injuries are simple in nature.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on



anticipatory bail on furnishing bail-bond of Rs. 20,000/-
(Rupees twenty thousand) with two sureties of the like amount
each to the satisfaction of the learned court concerned, Nawada
in connection with Rajoli P.S. Case No. 423/2022, subject to
conditions as laid down under section 438(2) of the Code of
Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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