

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72461 of 2022

Arising Out of PS. Case No.-475 Year-2022 Thana- BODHGAYA District- Gaya

1. DHALAN YADAV @ THALLU YADAV S/O NAGESHWAR YADAV @ GOLU YADAV Resident of village- Seva bigha, P.S.- Bodh Gaya, District- Gaya.
2. NAGESHWAR YADAV @ GOLU YADAV S/O LATE FATU YADAV Resident of village- Seva bigha, P.S.- Bodh Gaya, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav,Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-05-2023 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bodh Gaya P.S. Case No. 475 of 2022 registered for the offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code.

The allegation is regarding the accused persons having assaulted the informant by stick as also having caught hold of the hairs of the wife of the informant and dragged her.

The learned counsel for the petitioners has submitted that the petitioners are innocent and



they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the present case arises out of case and counter case, the case filed by the petitioner no. 1 being first in time, wherein the accused persons have been stated to have assaulted the petitioners resulting in them sustaining injuries, however, in the present case, the informant and his family members have not sustained any injury. It is further submitted that the present case in question has arisen on account of land dispute.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the members of the prosecution side have not sustained any injury, I deem it fit and proper to



admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya in connection with Bodh Gaya P.S. Case No. 475 of 2022.

(Mohit Kumar Shah, J)

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