

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74153 of 2022

Arising Out of PS. Case No.-267 Year-2022 Thana- SUGAULI District- East Champaran

1. Indu Devi Wife Of Mantosh Yadav R/O Village- Bankatwa, Chhapra Bahash, P.S.- Sugauli, District- East Champaran
2. Belash Rai @ Vilas Rai @ Velas Yadav Son Of Late Amika Rai @ Amerika Rai R/O Village- Bankatwa, Chhapra Bahash, P.S.- Sugauli, District- East Champaran
3. Rajan Yadav @ Rajan Kumar Son Of Belash Rai @ Vilas Rai R/O Village- Bankatwa, Chhapra Bahash, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Sugauli P.S. Case No.267 of 2022 registered for the offences punishable under Sections 341, 323, 324, 326, 307, 379 and 504/34 of the Indian Penal Code. They have no criminal antecedent.

As per the prosecution story, on 06.06.2022 when the petitioner was doing the work of filling the soil in his land all the accused persons having lathi, iron road and farsa in their hand reached there and assaulted the informant and his wife by



deadly weapon with an intention to kill them due to land dispute.

Learned counsel for the petitioners submits that both the parties are co-sharers and there is a land dispute between the parties. Learned counsel submits that the petitioner no.1 has also filed a complaint case in the court of learned C.J.M. and the specific allegations of assault are against the co-accused Mantosh Yadav and Ravi Yadav.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, considering that both the parties are co-sharers, there is a land dispute, the petitioner no.1 has also filed a complaint case in the court of learned C.J.M. and the specific allegations are against the co-accused Mantosh Yadav and Ravi Yadav, the petitioners have otherwise no criminal antecedent, this Court directs release of the petitioners above named on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Sugauli P.S. Case No.267 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East



Champaran, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioners and in case at any
stage it is found that the petitioners have concealed their
criminal antecedent, the court below shall take step for
cancellation of bail bond of the petitioners. However, the
acceptance of bail bonds in terms of the above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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