

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75245 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- PURNEA SADAR District- Purnia

1. ARUN YADAV S/o Ayodhya Prasad Yadav R/o Village- Shiv Mandir Chowk, Hansda, Gulabganj, P.S.- Sadar, Distt- Purnea.
2. Devnandan Kumar S/o Ayodhya Prasad Yadav R/o Village- Shiv Mandir Chowk, Hansda, Gulabganj, P.S.- Sadar, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 436, 504, 506, 34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons, in furtherance of common intention, came over the land of the informant and started abusing him. They assaulted the informant side and set fire to the thatched hut of the informant. They also tried to grab his land.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between them. This case is counter blast of Sadar P.S. Case No. 134 of 2019 which was filed by brother of petitioners against the husband and Devar of the informant. This false case has been filed with a view to pressurize the petitioners for filing compromise petition in connection with Sadar P.S. Case No. 134 of 2019. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that petitioners are involved in this case.

Considering the facts and circumstances of the case and after perusing the record, as there is case and counter case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is



pending/successor Court in connection with Sadar P.S. Case No.
115 of 2021, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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