

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1626 of 2023**

Arising Out of PS. Case No.-61 Year-2019 Thana- PANDAU District- Madhubani

1. MITHILESH YADAV Son of Late Jhapsu Yadav R/V- Tetraha, P.S- Pandaul, Dist- Madhubani.
2. Manoj Yadav @ Manoj Kumar @ Manoj Kumar Yadav Son of Ram Kripal yadav R/V- Tetraha, P.S- Pandaul, Dist- Madhubani.
3. Parmeshwar yadav @ Parmeshwar Kumar Yadav Son of Ram kripal Yadav R/V- Tetraha, P.S- Pandaul, Dist- Madhubani.
4. Ram Kripal Yadav Son of Late Sitai Yadav R/V- Tetraha, P.S- Pandaul, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      23-03-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners apprehend their arrest in connection with Pandaul P.S. Case No.61 of 2019, registered for the offences punishable under Sections 342, 323, 307 and 379 of the Indian Penal Code.

Petitioner, Mithilesh Yadav is said to have pulled the informant by tying *Gamchha* in his neck. It is alleged that other co-accused persons assaulted the informant by fists and slaps. It is also alleged that the accused persons snatched mobile phone of the informant.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioners and informant are agnates and a title suit being Title Suit No.114 of 2005 is also going on between the parties. It is also submitted that the case was lodged under Section 307 and other sections of the Indian Penal Code, but the charge sheet has been submitted under Sections 341, 327 and 323/34 of the Indian Penal Code. It is submitted that nobody sustained any injury in the present case, which is clear from the impugned order itself. It is lastly submitted that there is admitted land dispute between the parties.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani in connection with Pandaul P.S. Case No.61



of 2019, subject to the conditions laid down under Section  
438(2) of the Code of Criminal Procedure.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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