

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4205 of 2023**

Arising Out of PS. Case No.-119 Year-2019 Thana- MAGADH MEDICAL COLLEGE  
District- Gaya

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1. SUBELAL YADAV Son of Sibi Yadav R/v- Kathautiya, P.S.- Magadh Medical, District- Gaya
  2. PINTU YADAV Son of Sibi Yadav R/v- Kathautiya, P.S.- Magadh Medical, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      17-05-2023                      Heard the learned counsel for the petitioners and  
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail  
in connection with Magadh Medical PS case no. 119 of 2019,  
registered for the offences punishable under Sections 307, 354  
and other allied sections of the Indian Penal Code.

The allegations is regarding the accused persons  
including the petitioners herein having entered the house of the  
informant, whereafter the accused persons are alleged to have  
assaulted the informant and his wife, resulting in them  
sustaining some injuries. It is alleged that on account of  
previous petty dispute, the alleged incident had taken place.



The learned counsel for the petitioners submits that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. The learned counsel for the petitioners has further submitted by referring to the affidavit filed in support of the present petition that the deponent namely Naresh Kumar @ Naresh Yadav, who is the informant of the connected criminal case, is the brother of the petitioners and now there is no dispute amongst them since the matter has stood compromised.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that there is no injury report on the record of the case, as has been categorically stated by the learned counsel for the petitioners, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory



bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-IV, Gaya in connection with Magadh Medical PS case no. 119 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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