

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8037 of 2024

Arising Out of PS. Case No.-113 Year-2023 Thana- CHHABILAPUR District- Nalanda

1. Arjun Yadav @ Arjun Gope @ Arjun Gop S/o- Bela Yadav @ Badho Gope Village- Nekpur Ps- Chhabilapur Dist- Nalanda
2. Manoj Yadav son of Bale Yadav @ Badho Gope Village- Nekpur Ps- Chhabilapur Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dheeraj Kumar, Advocate
For the State	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Sunil Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, these petitioners, along with other co-accused persons, assaulted the informant and his family members, due to which they sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the allegation of assault is general and omnibus and no specific allegation of any overt act has been alleged against these petitioners. It is further submitted that there is land dispute between the parties and title suit bearing Title Suit No. 108 of 2022 is pending before the court below. It



is also submitted that similarly situated co-accused person namely Ashok Yadav has been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon’ble Court vide order dated 19.12.2023 passed in Cr. Misc. No. 80654 of 2023. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the rival submission, nature of accusation, claim based on parity and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vth, Bihar Sharif, Nalanda, in connection with Chhabilapur P.S. Case No.113 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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