

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9239 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- DHANAHA District- West Champaran

Balistar Yadav S/O- Late Baburam Yadav R/O- Village- Mushari Baira Bazar,
P.S.- Dahana, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pruna Anand, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Dhanaha P. S. Case No. 81 of 2023 dated 09-05-2023, instituted for the offence punishable under Sections 341,323,324,307,379, 504,506 and 34 of the Indian Penal Code.

3. The case of prosecution, in short, is that over a dispute of barricading, scuffle took place between the informant and the accused persons. On alarm raised by the informant, while his brothers came to rescue him, it is alleged that petitioner assaulted by means of 'Lathi' on the left hand of Chandi Yadav, causing injury on his palm.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that there is no allegation against the petitioner to assault the informant. The only allegation against the petitioner is that he assaulted the brother of informant, namely, Chandi Yadav by means of '*Lathi*' who got fractured injury on his finger and that too mild, which was possible due to sudden falling on the earth. It is further submitted that there is admitted land dispute between the parties. Lastly, it is submitted that one criminal case is pending against the petitioner, in which, he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Dhanaha P.S. Case No. 81 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st, Bagaha, West Champaran, or appropriate Court below, subject to condition as laid down under Section 438(2) of the



Cr.P.C.

7. The application stands allowed.

(Khatim Reza, J)

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