

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20035 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- BARHAT District- Jamui

1.

Sanjay Kumar Yadav @ Sanjay Kumar @ Sanjay Yadav S/o Late Kedar Nath Yadav R/o vill - Tengahara, P.s. - Barhat, Distt. - Jamui
2.

Sadhu Saran @ Sadhu Yadav @ Sadhu Saran Yadav S/o Late Kedar Nath Yadav R/o vill - Tengahara, P.s. - Barhat, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr.Rajesh Kumar Sinha, Adv.

For the Opposite Party/s

:

Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3

16-07-2024

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending arrest in connection with Barhat P.S. Case No. 153 of 2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 427, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and others are said to have entered into informant’s house in a premeditated manner. Petitioners are alleged to have assaulted informant indiscriminately by means of lathi. It is further alleged that petitioner no. 2, Sadhu Saran @ Sadhu Yadav @ Sadhu Saran Yadav is said to have assaulted informant’s wife by fists after sitting on her chest.

4. Learned counsel for the petitioner submits that all the injuries are simple in nature and there is case and counter case

between both the parties on the same day of occurrence. It is further submitted that free fight cannot be ignored. Petitioners are co-villagers and parties are agnates. From perusal of the first information report itself, it is clear that there is land dispute between both the parties and in case of land dispute facts are generally exaggerated to make the offence graver. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and the materials available on record, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Jamui in connection with Barhat P.S. Case No. 153 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Alok Kumar Pandey, J)

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