

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18938 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- DANDARI District- Begusarai

1. Pankaj Yadav S/O Sita Ram Yadav R/O Village- Partarpur, P.S- Dandari, Distt.- Begusarai.
2. Raja Kumar @ Raj Bali Yadav @ Raja Yadav @ Ram Bali Yadav S/O Sita Ram Yadav R/O Village- Partarpur, P.S- Dandari, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amar Kumar Singh, Adv. Mr. Rahul Kumar Singh, Adv.
For the informant	:	Mr. Shubhesh Pandey, Adv. Mr. Amit Kumar Mishra, Adv.
For the State	:	Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dandari P.S. Case No. 99 of 2023 dated 31.10.2023 registered for the offences punishable u/ss 341, 323, 379, 307, 504, 447, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have come to the house of the informant and started abusing him. On being objected, they



assaulted the informant fists, slaps, lathi and danda. The co-accused, Sita Ram Yadav caught hold of the hands of the informant and the co-accused, Jatan Yadav assaulted him with iron rod due to which, he sustained head injury. When the elder brother of the informant came to rescue the informant, he was also assaulted by the petitioners Pankaj Yadav and Raja Yadav @ Rambali Yadav. During the course of assault, the petitioners snatched the gold locket from the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Both parties are own gotiya and the land dispute is admitted between them. The specific allegation of assaulting the informant with iron rod is against the co-accused, Jatan Yadav rather the allegation against the petitioners is general and omnibus. The allegation of snatching against the petitioners is ornamental. As per the injury report of the injured, the injury is stated to be grievous in nature which is on non vital part of the body. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have one criminal antecedent in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned



counsel for the informant have vehemently opposed the bail petition of the petitioners and submitted that the petitioners assaulted the informant’s elder brother with lathi and danda due to which he sustained fracture injury on his hand.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Begusarai in connection with Dandari P.S. Case No. 99 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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