

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20694 of 2024

Arising Out of PS. Case No.-308 Year-2022 Thana- BARACHATTI District- Gaya

1. Cheta Yadav S/o- Late Hira Yadav Village- Kahudag Tola Nimiyatad Ps- Barachatti Dist- Gaya
2. Rajesh Yadav @ Rajesh Kumar son of Cheta Yadav Village- Kahudag Tola Nimiyatad Ps- Barachatti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 26-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Barachatti P.S. Case no. 308 of 2022 instituted for the offence punishable under Sections 341, 342, 323, 325, 307, 379, 427, 504, 506/34 of the Indian Penal Code and Section 302 IPC was further added.

3. As per allegation in the FIR, petitioners along with other accused persons, who are agnates of the informant assaulted to informant's parents by means of lathi and danda. It is further alleged that accused persons took away ornaments



and damaged the house hold articles. During treatment, father of the informant died.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The alleged occurrence took place over a land dispute. After one month of the occurrence, informant's father died and doctor who has conducted autopsy, kept reserve the opinion till the FSL report and in FSL report, no poisonous substance was detected. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 16.3.2023 passed in Cr. Misc. No. 45162 of 2022. Petitioner has got no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Barachatti P.S. Case no. 308 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned ACJM II, Sherghati,
Gaya subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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