

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20857 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- BAUNSI District- Banka

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Dhaneshwar Yadav, son of Narayan Baidya, Village- Sikendarpur Ps- Bounsi
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Bounsi P.S. Case No. 323 of 2023, registered for the offences under Sections 341, 323, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons assaulted the informant and her family members with *lathi*, *danda*, slaps and fists causing injuries to them. The occurrence took place in the background of land dispute of the petitioner with his uncle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. Admittedly, there is land dispute which resulted in some altercation between the informant and the petitioner. There is counter version and petitioner has also lodged Bounsi P.S. Case No. 324 of 2023 against the informant and others under Sections 341, 323, 325, 354, 379, 504 and 506/34 of IPC. Both the sides sustained injuries and the petitioner also received injuries on his head. The injuries received by the informant and her family members have been stated to be simple though opinion has been reserved for some injury of informant and one other person. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties in the background of land dispute and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Banka/court concerned in connection with Bounsi P.S. Case No. 323 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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