

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29587 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. Umakant Yadav Son of Late Aghori Yadav @ Late Adhori Yadav Resident of Village- Bhelwa, Present Ward No. 03, P.S.- Saharsa Sadar, District- Saharsa
2. Hareram Yadav Son of Late Aghori Yadav @ Late Adhori Yadav Resident of Village- Bhelwa, Present Ward No. 03, P.S.- Saharsa Sadar, District- Saharsa
3. Kailu Yadav Son of Umakant Yadav Resident of Village- Bhelwa, Present Ward No. 03, P.S.- Saharsa Sadar, District- Saharsa
4. Abhimanyu Yadav @ Abhimanyu Kumar Son of Sitaram Yadav Resident of Village- Bhelwa, Present Ward No. 03, P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha
For the Opposite Party/s	:	Dr. Mrityunjaya Kumar Gautam
For the Informant	:	Mr. Subhash Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 18-09-2024 1. Heard learned Counsel for the petitioners, learned Additional Public Prosecutor for the State and learned counsel for the informant.
2. Learned counsel for the petitioners submits that during the pendency of this application, the petitioner nos. 1 and 4 were arrested. Accordingly, he seeks permission to withdraw this application with regard to the petitioner nos. 1 and 4.
3. Permission is granted.
4. The application, with regard to the petitioner nos. 1 and 4,



is dismissed as withdrawn.

5. This application, for grant of anticipatory bail, on behalf of the petitioner nos. 2 and 3, arises out of Saharsa Sadar Police Station Case No. 500 of 2023, dated 27.07.2023, disclosing offences under Sections 448/341/323/324/385/354(B)/307/379/427/504/506/34 of the Indian Penal Code.
6. The prosecution case, on the basis of the First Information Report, is that on 26.07.2023, in the morning, the petitioners, along with other co-accused persons, armed with lathi, danda, khanti, etc., came to the house of informant and assaulted her and other family members, asking them to withdraw cases lodged by them. Petitioner no. 3 and other co-accused snatched earring of the informant and took article worth of Rs. 2 Lakh from her house. On the same date, in the evening, the accused persons, along with the petitioners, came again, armed with traditional weapon, and assaulted informant's son and his friend.
7. Learned counsel for the petitioner nos. 2 and 3 submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in



the present case due to village politics. He next submits that the allegation against them are general and omnibus in nature. He further submits that due to previous enmity and prolonged disputes related to land many case and counter case have been lodged by both the parties.

8. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both the petitioner no. 2 and 3 are having criminal antecedents of 8 & 9 cases, I am not inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.
9. Accordingly, the anticipatory bail application in respect of petitioner nos. 2 and 3 is dismissed.

(Anil Kumar Sinha, J)

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