

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23607 of 2024

Arising Out of PS. Case No.-32 Year-2018 Thana- ANTI District- Gaya

Munna Kumar Yadav @ Munna Kumar @ Munna Yadav son of Mithilesh
Yadav Resident of Village- Kasturi Khap, Police Station- Aati, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Aati P.S. Case No. 32 of 2018, registered on 30.04.2018 for the offences under Sections 147, 148, 149, 447, 341, 323, 337, 338, 325, 307, 504, 506 of the Indian Penal Code.

3. As per prosecution case, in the background of land dispute, the petitioner and other co-accused persons came to the house of the informant and assaulted the informant and his family members with lathi, danda, bricks and stones.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the



petitioner and other co-accused persons without mentioning any overt act against any of them. The background of land dispute is admitted and the occurrence took place for partition of property between the parties which is also apparent from the FIR and petitioner and informant and nephew and uncle. The petitioner is having criminal antecedent of one case.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and non-specific nature of allegation without any specific detail and further considering the possibility of false implication in the background of land dispute, 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 Judicial Magistrate, Ist Class, Gaya/concerned court in connection with Aati P.S. Case No. 32 of 2018, subject to the condition 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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