

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29138 of 2024

Arising Out of PS. Case No.-177 Year-2023 Thana- SINDHIYA District- Samastipur

1. Sunil Yadav @ Sunil Kr Yadav @ Sunil Kumar Yadav And Another Son of Rajendra Yadav Resident of vill.-Mamunpur Bahrana, P.S.-Singhiya, Distt.-Samastipur
2. Anil Yadav Son of Rajendra Yadav Resident of vill.-Mamunpur Bahrana, P.S.-Singhiya, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uma Shankar Singh, Adv. Mr.Shishir Kumar Shishir, Adv. Mr.Binod Kumar Sinha, Adv.
For the State	:	Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 307, 504, 506, 380/34 of the IPC.

3. Petitioner no.1 is alleged to have assaulted the husband of the informant by means of iron rod on his head and petitioner no.2 is said to have assaulted the informant with katta on head.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior



motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. There is a case and counter-case between the parties and both sides have sustained injuries. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the petitioner no.2 assaulted the informant on her head and one of her injury on the head has been found to be grievous in nature.

6. Having regard to the facts and circumstances of the case, considering that the injury said to be inflicted by the petitioner no.1 has been found simple in nature, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Singhiya P.S. Case No.177 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the nature of allegation and the grievous



nature of injury inflicted by the petitioner no.2, I am not inclined to enlarge the petitioner no.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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