

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26876 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- MADHEPURA District- Madhepura

1. Ranjan Yadav Son of Late Narayan Yadav Resident of Village- Bhagwanpur, Ward No. 12, P.S. and District- Madhepura
2. Sanjit Yadav @ Malakh @ Sanjit Kumar Son of Late Narayan Yadav Resident of Village- Bhagwanpur, Ward No. 12, P.S. and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisu Zzoha, Advocate
		Ms. Rabia Gulnaz, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-05-2024 Learned counsel for the petitioner no. 1 submits that the petitioner no. 1 has been arrested and this petition for petitioner no. 1 becomes infructuous and he seeks permission to withdraw his application.

2. Permission is accorded.

3. Accordingly, petition for anticipatory bail of petitioner no. 1 is dismissed as withdrawn.

4. Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.

5. The petitioner No. 2 apprehends his arrest in connection with Madhepura P.S. Case No. 507 of 2023 instituted under Sections 341, 323, 307, 354(B), 302 and 34 of



the Indian Penal Code.

6. As per the prosecution case, the petitioner no.2 including other accused person, during plucking litchi from orchard, assaulted the husband of the informant due to which he succumbed to the injuries.

7. Learned counsel for the petitioner no. 2 submits that there is no specific allegation against the petitioner no. 2 causing injury to the victim. The allegation against him is that he has assaulted by mean of *lathi* to the son of the informant but he sustained only body ache by hard and blunt substance. The petitioner no. 2 is the close agnates of the informant having litigating term for the partition of ancestral land. He further submits that the petitioner no. 2 undertakes to co-operate in the investigation and similarly situated co-accused persons, namely, Rekha Devi and Rina Devi have already been granted anticipatory bail by this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 15795 of 2024.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks



from today, the petitioner no. 2 be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned J.M. 1st Class, Madhepura in connection with Madhepura P.S. Case No. 507 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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