

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30089 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Anuj Yadav @ Anuj Kumar Son of Videshwar Yadav @ Vineshar Yadav
Resident of Village- Natesar, P.S- Neemchak Bathani, Dist- Gaya
2. Ramishwar Yadav Vindeshwar Yadav @ Vineshar Yadav Resident of
Village- Natesar, P.S- Neemchak Bathani, Dist- Gaya

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection
with Neemchak Bathani P.S. Case No. 163 of 2023 dated
25.08.2023 registered for the offence punishable under Sections
323, 341, 504, 506, 427 and 307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
24.08.2023 at 6:00 pm, when the informant's brother namely
Md. Arbaaz was returning back from his pond, he saw that few
animals were grazing in his arhar field. When he asked not to
do so, all accused persons attacked on the informant's brother



with rod, sword, lathi and khanti which resulted in head injury apart from other injuries. Accordingly, the present FIR has been instituted.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. There is case and counter case between the parties. No specific allegation has been attributed against the petitioners. There is general and omnibus allegation against these petitioners. It is submitted that the injury found by the doctor is simple in nature. It is further submitted that Nemchak Bathani P.S. Case No. 164 of 2023 has been lodged by the mother of the petitioners against the informant and his family members. Both are co-villagers. The petitioners have clean antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered 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 petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-III, Gaya in Nemchak Bathani P.S. Case No. 163 of 2023, subject to the conditions laid down in Section



438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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