

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35982 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- SIDHWALIYA District- Gopalganj

1. Baliram Yadav Son of Gudar Yadav R/O Village- Supouli, P.S.- Sidhwaliya, District- Gopalganj
2. Pyarelal Yadav Son of Gudar Yadav R/O Village- Supouli, P.S.- Sidhwaliya, District- Gopalganj
3. Pradeep Kumar Son of Baliram Yadav R/O Village- Supouli, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sachina, Advocate
For the Opposite Party/s	:	Mr. Narendra Kumar Singh, APP
For the Informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners; learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Sidhwaliya P.S. Case No. 338 of 2023 dated 13.11.2023, instituted for the offence punishable under Sections 341, 323, 307, 447, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, owing to land dispute, when the informant asked to Baliram Yadav (petitioner no. 1) about the said land then Baliram Yadav started abusing. Thereafter, all the accused persons named in the F.I.R. armed with lathi, danda and iron rod came to the house of the



informant and started assaulting him and his family member due to which they received injuries. It is further alleged that during the course of occurrence, accused persons snatched a gold chain from the neck of one Manish Kumar Yadav.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that both the parties are agnates and owing to land dispute, this false and concocted occurrence has allegedly said to have been committed by the F.I.R. named accused persons including the petitioners. It is next submitted that petitioner no. 1 namely, Baliram Yadav has lodged the F.I.R. against the informant's side *vide* Sidhwaliya P.S. Case No. 337 of 2023 on 13.11.2023 at 01:30 pm while the present F.I.R. was lodged on the same date at 02:35 pm i.e. after the F.I.R. of Baliram Yadav (petitioner no. 1). It is next stated that there is no specific allegation against the petitioners rather the allegations are general and omnibus in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P and learned counsel for the informant vehemently opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sidhwaliya P.S. Case No. 338 of 2023, they shall be released on anticipatory 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 Additional Chief Judicial Magistrate-1, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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