

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32724 of 2024

Arising Out of PS. Case No.-758 Year-2021 Thana- BRAHMPUR District- Buxar

1. Munna Yadav Son of Hira Yadav Resident of Village- Chakki, P.S- Brahmpur(Chakki O.P), Dist- Buxar
 2. Akshay Kumar Yadav Son of Chandrama Yadav Resident of Village- Chakki, P.S- Brahmpur(Chakki O.P), Dist- Buxar
 3. Dinesh Yadav Son of Akshay Kumar Yadav Resident of Village- Chakki, P.S- Brahmpur(Chakki O.P), Dist- Buxar
 4. Guddu Kumar Yadav @ Guddu Yadav Son of Akshay Kumar Yadav Resident of Village- Chakki, P.S- Brahmpur(Chakki O.P), Dist- Buxar
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 379, 504, 506 and 120B of the IPC in connection with Brahmpur (Chakki O.P.) P.S. Case No.758 of 2021.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and have been falsely implicated by the informant on account of property dispute being agnates.



4. It is next submitted that informant alleges that on 09.12.2021 when his brother Gorakh had gone to attend nature's call, when all of a sudden seventeen accused persons including the petitioners came and surrounded him and on orders of Hari Mohan and Banka, Mukesh, Guddu and Akshay assaulted Gorakh with Bhala, thereafter, Murli and Munna assaulted with rod and when nephew of the informant Sanoj tried to intervene, he was assaulted by Murli and Munna by rod and Dinesh assaulted him by lathi. Thereafter, Santosh and Banjhu assaulted Tetri and Kavita was assaulted by Sagendra Yadav, Harimohan Yadav and Banka Yadav and Nagendra tried to strangulate Babita Devi while Birbal kicked her and Ajay tried to disrobe the wife of the informant. Thereafter, Dinesh and Akshay tried to strangulate the informant while Raja Ram snatched a golden chain from Kavita and Akshay snatched the golden chain from Babita.

5. The learned counsel submits that from bare perusal of of the allegation as alleged in the FIR, it would manifest that the same does not inspire confidence, as it is not possible for the informant to alleged with such precision and certainty that who assaulted whom and by what. It is further submitted that even the injury suffered by the brother of the informant and Sanoj is



simple in nature and the petitioners and the informant side are on litigating term on account of dispute relating to property.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Buxar in connection with Brahmpur (Chakki O.P.) P.S. Case No.758 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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