

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34466 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- DANDARI District- Begusarai

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Jatan Yadav Son of Late Hirdi Yadav @ Late Hirday Yadav Resident of
Village - Paratrpur, P.S.- Dandari, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Dandari P.S.
Case No. 99 of 2023, registered under Sections 341, 323, 379,
307, 504, 447, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner
along with co-accused persons have assaulted the informant by
means of lathi, danda, fists and slaps and given iron rod blow on
the head of the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been filed under Section 307 of



the Indian Penal Code in this case. There is specific allegation against the petitioner. Both the parties are own *gotiyas* having land dispute in between them. There is case and counter case between the parties. The injury received by the informant is grievous in nature. There was a free fight between the parties and both the parties sustained injuries. The petitioner has got two criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 15.04.2024 passed in Cr. Misc. No. 18398 of 2024 and has been granted regular bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20676 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, case and counter case between the parties and claim based on parity, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Dandari P.S.
Case No. 99 of 2023, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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