

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34124 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- KHIJARSARAI District- Gaya

1. Kamaldeo Yadav @ Kamaldev Yadav Son of Late Fuldev Yadav Resident of Village -Bakhtar, P.S.- Khizarsarai, District - Gaya, Bihar
2. Shambhu Yadav Son of Surendra Yadav Resident of Village -Bakhtar, P.S.- Khizarsarai, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending his arrest in connection with Khizarsarai P.S. Case no. 269 of 2023 instituted for the offence under Sections 147, 148, 149, 341, 323, 325, 379, 307, 504, 506/34 of the Indian Penal Code.

3. As per allegation in the FIR, while informant was constructing a now house over his own plot, FIR named accused persons came there and assaulted him and his family members. They also pelted stones on his house and snatched gold pendent and mobile and threatened him of dire consequences.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. General and omnibus allegation of assault is levelled against the petitioners. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 19.12.2023 passed in Cr. Misc. No. 81863 of 2023. Both the parties are agnate and alleged occurrence took place due to land dispute.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Khizarsarai P.S. Case no. 269 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM IV, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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