

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35976 of 2024

Arising Out of PS. Case No.-888 Year-2022 Thana- BODHGAYA District- Gaya

1. Sanjay Yadav@ Bagha Yadav Son Of Sudevan Yadav R/O Village- Moratal, Ps- Bodhgaya, Dist- Gaya
2. Pawan Kumar Son Of Sanjay Yadav @ Bagha Yadav R/O Village- Moratal, Ps- Bodhgaya, Dist- Gaya
3. Munni Devi Wife Of Sanjay Yadav @ Bagha Yadav R/O Village- Moratal, Ps- Bodhgaya, Dist- Gaya
4. Kanti Devi Wife Of Dinesh Yadav R/O Village- Moratal, Ps- Bodhgaya, Dist- Gaya
5. Anju Devi Wife Of Rajdeo Yadav R/O Village- Moratal, Ps- Bodhgaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioners apprehend arrest in connection with Bodhgaya P.S. Case No. 888 of 2022 dated 16.12.2022, instituted for the offence punishable under Sections 341, 323, 379, 506, 325 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, on 16.12.2023, the informant went to see her land. In the meanwhile, the accused persons came and started assaulting her,



due to which she sustained fracture injury. It is also alleged the accused person took over possession on the Khata No. 218, Plot No. 1342 area 37 decimal land.

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 there is no specific allegation against the petitioners rather the allegations are general and omnibus in nature. It is further submitted that petitioners are in peaceful possession of the land, in question and cultivating the crops on the same. On the alleged date of occurrence, the informant tried to take away the crops cut by the petitioners for which petitioners have objected and verbal altercation had taken place. It is next submitted that the injury received by the informant is simple in nature as stated in the impugned order. Lastly, it has been submitted that the petitioner nos. 1 and 2 have got one criminal case against them whereas petitioner nos. 3, 4 and 5 have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

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 Bodhgaya P.S. Case No. 888 of 2022, 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 J.M. 1st Class, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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