

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37205 of 2024

Arising Out of PS. Case No.-321 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

1. Kailash Yadav S/O- Late Kuleshwar Yadav R/O- Vill- Kola Narayanpur, P.S- Jagdishpur, Dist- Bhagalpur
2. Indradeo Yadav S/O- Late Kuleshwar Yadav R/O- Vill- Kola Narayanpur, P.S- Jagdishpur, Dist- Bhagalpur
3. Sanjay Yadav S/O- Late Kuleshwar Yadav R/O- Vill- Kola Narayanpur, P.S- Jagdishpur, Dist- Bhagalpur
4. Sagar Yadav S/O- Late Kuleshwar Yadav R/O- Vill- Kola Narayanpur, P.S- Jagdishpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 325, 324, 307, 448, 427, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 24.07.2022, some of the co-accused persons including the petitioners came at the land of the informant and started ploughing his land forcibly and when the same was opposed by the informant, they



abused and assaulted the informant by means of deadly weapons. Meanwhile, petitioner no.2 fired upon the informant, but anyhow he escaped. Thereafter, they chased the informant and entered his house along with some other miscreants and assaulted his family members and damaged the household articles and made *loot-paat* in his house as well.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Both the parties are own agnates and there is admitted land dispute between the parties for which a title suit bearing Title Suit No. 632 of 2022 is pending. There is case and counter case between the parties. All the injuries sustained by the injured persons were found simple in nature except injury no.1 of the informant. Petitioners have criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the



petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jagdishpur P.S. Case No. 321 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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