

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43232 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- PALANWA District- East Champaran

1. Nagendra Yadav SON OF LATE BABUNAND YADAV VILLAGE- BHATHUAHIYA, PS- DARPA, DIST- EAST CHAMPARAN
2. RAM PRAVESH RAI SON OF RAMVILASH RAI @ Ram Vilash Prasad Yadav VILLAGE- BIJBANI, PS- JITNA, DIST- EAST CHAMPARASN
3. RAMUNI DEVI WIFE OF RAM VILASH RAI VILLAGE- BIJBANI, PS- JITNA, DIST- EAST CHAMPARASN
4. DEVENDRA YADAV SON OF LATE BABUNANDAN RAI @ LATE BABUNANDAN YADAV VILLAGE- BHATHUAHIYA, PS- DARPA, DIST- EAST CHAMPARAN
5. BABUNI DEVI WIFE OF LATE BABUNANDAN RAI VILLAGE- BHATHUAHIYA, PS- DARPA, DIST- EAST CHAMPARAN
6. GYANI DEVI @ GYANTI DEVI WIFE OF SARAL YADAV VILLAGE- DHANO HAR KALWA, PS- JOGIPATTI, DIST- BETTIAH
7. MUKESH YADAV @ MUKESH KUMAR SON OF SARAL YADAV VILLAGE- DHANO HAR KALWA, PS- JOGIPATTI, DIST- BETTIAH
8. BHUPENDRA YADAV SON OF BABUNANDAN YADAV VILLAGE- BHATHUAHIYA, PS- DARPA, DIST- EAST CHAMPARAN
9. RUDAL YADAV @ RUDAL KUMAR SON OF SARAL YADAV VILLAGE- DHANO HAR KALWA, PS- JOGIPATTI, DIST- BETTIAH
10. RADHESHYAM YADAV SON OF SARAL YADAV VILLAGE- DHANO HAR KALWA, PS- JOGIPATTI, DIST- BETTIAH
11. RANDHIR YADAV @ RANDHIR RAI @ RANDHIR KUMAR SON OF RAMVILASH RAI VILLAGE- BIJBANI, PS- JITNA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Kundan Rathore @ Kundan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-07-2024

Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case



registered for the offence punishable under Sections 147, 148, 149, 323, 324, 341, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons, including these petitioners, came to the house of informant and assaulted informant and his family members. It is further alleged that they also committed theft of jewelry and cash and tried to outrage the modesty of wife of nephew of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that on account of land dispute between the parties, a free fight took place in which both sides sustained injuries. There is case and counter-case between the parties. Moreover, injuries allegedly caused by these petitioners have been opined to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, case and counter-case and clean antecedents of the petitioners, the prayer for grant of



anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul at Motihari, East Champaran, Motihari, in connection with Palanwa (Bhelahi) P.S. Case No. 245 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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