

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45407 of 2024

Arising Out of PS. Case No.-552 Year-2023 Thana- RAJAON District- Banka

1. Subodh Yadav Son of Late Singheswar Yadav R/O Vill.- Lahoria Goalpur, P.S.- Rajaoun, Dist.- Banka
2. Bipin Yadav Son of Late Singheswar Yadav R/O Vill.- Lahoria Goalpur, P.S.- Rajaoun, Dist.- Banka
3. Kundan Yadav @ Kundan Kumar Son of Bipin Yadav R/O Vill.- Lahoria Goalpur, P.S.- Rajaoun, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dhananjay Kumar Pandey, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, allegation against these petitioners is that they caused hurt to Shiv Nandan Kumar, Kabbo Kumar Yadav, Basudev Yadav and Raj Kumar by means of rod, axe, *lathi* and *danda*.

4. It is submitted by learned counsel appearing on behalf of the petitioners that on the alleged date of occurrence, a verbal altercation took place between the parties due to dispute



over path way and in course of altercation both sides sustained injuries. There is case and counter-case between the parties. Moreover, the injuries allegedly caused by these petitioners have been found to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation of assault against them.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, case and counter-case between the parties 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 Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 552 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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