

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46090 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- SHANKARPUR District- Madhepura

1. Bhushan Yadav Son of Late Satyanarayan Yadav R/O Vill.- Jharkaha, Ward no. 13, P.S.- Shankarpur, Dist.- Madhepura
2. Dharmendra Kumar Budhwa @ Dharmendra Kumar Son of Bhushan Yadav R/O Vill.- Jharkaha, Ward no. 13, P.S.- Shankarpur, Dist.- Madhepura
3. Jitendra Kumar Mangla Son of Bhushan Yadav R/O Vill.- Jharkaha, Ward no. 13, P.S.- Shankarpur, Dist.- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dinesh Prasad Verma, Advocate
For the State	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Shankarpur P.S. Case No.-204 of 2023 dated 08.12.2023 registered for the offences punishable under Sections 341, 323, 324, 325, 307 and 504/34 of the Indian Penal Code.

3. As per the FIR there is allegation of causing injury on vital part of the informant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that petitioner side has also filed a counter case bearing FIR No. 209 of 2023 dated 13.12.2023 for offences punishable under Sections 307 and other allied Sections of the Indian Penal code. He also submits that both sides are agnates and occurrence had taken place on account of land dispute.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for anticipatory bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Madhepura, in connection with Shankarpur P.S. Case No.-204 of 2023, subject to the



conditions as laid down under Section 438 (2) Cr. PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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