

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50717 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- TEKARI District- Gaya

1. Janki Yadav Son Of Late Bhaju Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya
2. Shiv Yadav Son Of Late Bhaju Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya
3. Suresh Yadav Son Of Late Bhaju Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya
4. Sohan Yadav @ Sohan Kumar Son Of Suresh Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya
5. Chhotu Yadav @ Chhotu Kumar Yadav Son Of Janki Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya
6. Ramashray Yadav Son Of Shiv Yadav R/O- Village- Bholi Math, P.S.- Tekari, Distt.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Tekari P.S. Case No. 263 of 2023 dated 18.04.2023, instituted
for the offence punishable under Sections 341, 323, 324, 308,
504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that Janki Yadav
(petitioner no. 1) was indulged in destroying the Moong Crops



by letting the animals graze the crops planted in the field of the informant. When the informant resisted, the petitioner along with co-accused started assaulting due to which Mahadev Yadav, Vikash Kumar and Sunny Kumar got injured.

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 a case and counter case between the parties. Tekari P.S. Case No. 264 of 2023 has been lodged on 18.04.2023 by Janki Yadav (petitioner no. 1) against the informant and his family members under Sections 341, 323, 324, 308, 509, 506/34 of the Indian Penal Code in which petitioners' side received grievous injury. 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 there is no injury report available on record. It is next submitted that the Sessions Judge in his order dated 08.12.2023 specifically stated that despite the letters and reminders, the Case Diary was not produced by the Investigating Officer. Lastly, it has been submitted that the petitioners 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 Tekari P.S. Case No. 263 of 2023, 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 A.C.J.M. VI, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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