

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51060 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- CHANDAUTI District- Gaya

-
1. Pramod Yadav @ Pramod Kumar Son Of Bachhu Yadav @ Gendu Yadav R/O Vill.- Nai Godam (Nai Goldam Utwari), Tutbari More, P.s.- Kotwali, Dist.- Gaya, Bihar
 2. Mantu Yadav @ Mantu Kumar Son of Bacchu Yadav @ Gendu Yadav R/O Vill.- Nai Godam (Nai Goldam Utwari), Tutbari More, P.s.- Kotwali, Dist.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Sanjay Kumar Mishra, learned counsel

appearing on behalf of the petitioners and Mr. Narendra Kumar

Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Chandauti P.S. Case No. 43 of 2024 registered for the
offence(s) punishable under Sections 341, 504, 506, 323, 307,
325, 379, 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
petitioners along with other co-accused persons after breaking
the boundary of the informant entered into his land and started
assaulting the informant and his son. Specific allegation against
the petitioners are that of threatening the informant with dire



consequences and had also assaulted the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case due to land dispute between the parties and for the said piece of land, the wife of the petitioner has lodged FIR which has been brought on record by way of Annexure-3 and the present case is the counter blast to the case lodged by the petitioner's wife earlier to the present case. The allegation against the petitioners are general and omnibus in nature.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners and also the fact that there is an admitted dispute relating to a piece of land, where the alleged incidence took place and an FIR was earlier lodged by the wife of the petitioner for the said piece of land and as a result of failure of settlement, the parties entered into fierce fight, resulting into injury of the person of the informant. Allegation against the petitioners are that of having assaulted the informant is not specific as it is not clear that on which part of the body, he has been assaulted. I find that the petitioners have, *prima facie*, made out a case to be



released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 43 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Sudhanshu/-

U		T	
---	--	---	--

