

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50122 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- MEHANDIGANJ District- Patna

1. Shankar Yadav @ Shankar Kumar Son of Rajendra Yadav @ Mallu Yadav Resident of village - Ranipur, P.S.- Mehandiganj, District - Patna
2. Jitendra Yadav @ Anna @ Ann @ Rohan Raj Son of Rajendra Yadav @ Mallu Yadav Resident of village - Ranipur, P.S.- Mehandiganj, District - Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2024 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Mehandiganj P.S. Case No. 141 of 2023 dated 26.07.2023, registered for the offences punishable under Sections 147, 148, 341, 323, 447, 307, 427, 504, 506, of the Indian Penal Code and Sections 27 Arms Act.

3. As per allegation, there was altercation between both the informant side and the accused side, leading to injury on both the sides. A counter case bearing Mehandiganj P.S. Case No. 132 of 2023 has also been lodged against the informant side



by the Petitioner side.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that both the informant and accused sides are agnates and the altercation took place in regard to land dispute. Hence, case and counter case has also been filed between the parties. He also submits that ultimately the matter has been compromised between the parties. Copy of the compromise has been filed on record across the board and the same has been taken on record.

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 petition that the petitioners have been made accused in two other cases in which they are on bail.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for 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 Ld. Judicial Magistrate-Ist Class, Patna City at Patna, in connection with Mehandiganj P.S. Case No. 141 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. 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, Ld. 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, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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