

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51429 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- MAHKAR District- Gaya

1. Chhote Yadav Son of Late Munki Yadav Resident of Vill- Kurba, P.S.- Mahkar, District- Gaya
2. Mukesh Yadav Son of Chhote Yadav Resident of Vill- Kurba, P.S.- Mahkar, District- Gaya
3. Ashutosh Kumar @ Ashutosh Yadav Son of Jai Ram Yadav Resident of Vill- Kurba, P.S.- Mahkar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prakash Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-08-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Mahkar P.S. Case No. 71 of 2024 registered on 03.04.2024 for the offences punishable under Sections 147, 148, 149, 341, 323, 448, 307, 354, 379, 504, 506, 428 and 429 of the Indian Penal Code.

3. As per prosecution, the FIR has been lodged against 8 named accused persons including the present petitioners against whom there is an allegation that they all in consonance with each other have assaulted the informant side



due to which injury has been caused and injured were admitted to Magadh Medical Hospital.

4. Learned counsel for the petitioners submits that that petitioners are innocent and have committed no offence. He submits that from the disclosure made in the FIR it becomes crystal clear that the dispute has arisen between the gotiyas and it is the result of the said dispute. He further submits that the petitioners side have lodged the FIR bearing Mahkar P.S. Case No. 67 of 2024 against the informant and others on 28.03.2024 and upon receiving the information of lodging the FIR, the informant has lodged Mahkar P.S. Case No. 71 of 2024 on 03.04.2024 for the same date of occurrence dated 27.03.2024. He further submits that due to family dispute the open fight caused from both the sides due to which minor injury has been caused. The petitioners have clean antecedent as stated in para 3 of the bail petition.

4. Learned APP for the State opposes the prayer for bail of the petitioners and fairly submits that there is a case and counter case between the parties.

5. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a



period of 6 weeks from today, on furnishing bail bond of ₹30,000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Gaya, in connection with Mahkar P.S. Case No. 71 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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