

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53255 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- LAXMIPUR District- Jamui

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Bhuneshwar @ Bhuneshwari Yadav @ Bhuneshwar Yadav Son Of Late Amrit
Yadav Resident Of Village - Seva (UPRELI Tola), P.S. - Gidhaur
(LAXMIPUR), District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Laxmipur (Gidhour) P.S. Case no. 393 of 2023 instituted
for the offence under Sections, 147, 341, 323, 324, 307, 504 and
34 of the Indian Penal Code.

As per prosecution case, on 27.08.2023 at about
1:PM,when father of the informant was grazing the cattle, in the
meanwhile, all the accused persons including this petitioner
assaulted him with *lathi*, *danda* and *farsa*. It is further alleged
that the accused persons entered in the house of the informant
and assaulted the informant and his father with sword.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to land dispute. No any specific overt act of assaulting against the petitioner rather general and omnibus allegation has been levelled against him. Specific allegation is against co-accused Shankar Yadav who assaulted by means of sword to informant's father and informant as well. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted anticipatory bail by another co-ordinate Bench of this Court vide order dated 08.05.2024 in Cr. Misc. No. 24366 of 2024.

In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Laxmipur (Gidhour) P.S. Case no. 393 of 2023, he will be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IInd, Jamui subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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