

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53790 of 2024

Arising Out of PS. Case No.-803 Year-2023 Thana- SHERGHATI District- Gaya

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1. Yugal Yadav @ Jugal Yadav S/O Rameshwar Yadav
 2. Undil Yadav @ Indal Yadav S/O Rameshwar Yadav
 3. Dinesh Yadav S/O Umesh Yadav
 4. Manjit Yadav @ Ajit Kumar S/O Dilip Yadav
 5. Sanjit Yadav @ Sanjit Kumar S/O Dilip Yadav
 6. Dilip Yadav S/O Late Chalitar Yadav
 7. Pitambar Yadav S/O Late Butu Yadav
 8. Nanhak Yadav S/O Late Jaglal Yadav
 9. Bilash Yadav S/O Late Rohan Yadav
- All R/O Village- Jamunaiya, P.S- Sherghati (dobhi), Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-09-2024 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor for the

State.

2. There are nine petitioners who are apprehending
their arrest in connection with Sherghati (Dobhi) P.S. Case
No.803 of 2023, registered for the offences punishable under
Sections 147, 341, 323, 307, 325, 354, 384, 504, 506 of the
Indian Penal Code.

3. Allegedly all the FIR named accused persons
brutally assaulted the informant and his family members with
deadly weapon on account of land dispute. His father alleged



that the accused persons also demanded ransom of Rs.50,000/-. Due to the assault caused by the accused persons, the informant and his family members sustained serious injuries.

4. Learned Advocate appearing on behalf of the petitioners contended that both the parties are own agnates and on account of some dispute regarding partition a free fight has taken place resulting into injuries to various persons including the members of the petitioners side. It is next submitted that the present case is nothing but a counterblast to Sherghati (Dobhi) P.S. Case No.773 of 2023 instituted by Sukhlal Yadav against the informant and other family members. Moreover, with regard to an occurrence which took place on 14.07.2023, the present FIR has been instituted on 19.07.2023. Thus, the false implication of the petitioner cannot be ruled out.

5. Taking note of the aforesaid facts, other co-accused persons having identical allegation, they have been allowed the privilege of anticipatory bail by this Court in Cr. Misc. Case No.2233 of 2024 vide order dated 31.01.2024, the copy of which is marked as Annexure-4 to the bail application. The petitioners bear fair antecedent and they undertake that they shall fully co-operate in the proceeding of the court.

6. On the other hand, learned Advocate for the State



opposed the bail application and stated that the petitioners have actively participated in the crime and brutally assaulted the informant and others.

7. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR coupled with the fact that other co-accused persons having identical allegation have been allowed the privilege of anticipatory bail, petitioners bear fair antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate, Sherghati (Gaya) in connection with Sherghati (Dobhi) P.S. Case No.803 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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