

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54388 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- KATEYA District- Gopalganj

Bittu Yadav Son of Brij Kishor Yadav Resident of Village - Terkhemraj, P.S.-
Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
For the informant : Mr. Shushil Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

2. The petitioner apprehends arrest in connection with
Kateya P.S. Case No. 58 of 2024 dated 27.02.2024 instituted for
the offence punishable under Sections 341, 323, 307, 504, 506/34
the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date and time of occurrence, the petitioner along with other
accused persons armed with *lathi-danda* abused and assaulted the
informant. It is alleged that the co-accused Brijkishore Yadav
caught the informant and then the petitioner and Raju Yadav
assaulted him by *danda*, due to which he sustained injury in his
head. It is also alleged that they also assaulted his family members.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that as per the allegation, the petitioner along with co-accused Raju Yadav assaulted the informant by means of lathi-danda, due to which he sustained injury. As per the injury report, the injury sustained by the informant is simple in nature caused by hard blunt substances. Both the parties are agnates and there is land dispute between them. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State as well as learned counsel for the informant has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kateya P.S. Case No. 58 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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