

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58344 of 2024

Arising Out of PS. Case No.-89 Year-2019 Thana- BIHRA District- Saharsa

1. Lav Kush Yadav @ Lav Kush Kumar S/o Sudhir Yadav @ Sudhir Kumar R/o vill - Sattar, P.S. - Bihra, Distt. - Saharsa
2. Guddi Devi @ Guddi Kumari W/o Chandar @ Chandor Yadav @ Chandrahar Yadav @ Chandrahas Yadav @ Chandrahas @ Chandrahas Kumar R/o vill - Sattar, P.S. - Bihra, Distt. - Saharsa
3. Chandar @ Chandor Yadav @ Chandrahas Yadav @ Chandrahas Yadav @ Chandrahas @ Chandrahas Kumar S/o Jai Nath Yadav @ Jay Nath Yadav R/o vill - Sattar, P.S. - Bihra, Distt. - Saharsa
4. Jai Nath Yadav @ Jay Nath Yadav S/o Late Kanik Yadav R/o vill - Sattar, P.S. - Bihra, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Neeraj Kumar, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons, including these petitioners, formed unlawful assembly and assaulted informant and his family members by means of *dabia* and axe.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners have falsely been implicated in this case. As a matter of fact, on the alleged date and time of occurrence, due to land dispute between the parties, a free fight took place in which both sides sustained injuries. There is case and counter-case between the parties. Doctor has found the injuries sustained by the injured to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific allegation of assault against them.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, case and counter-case between the parties and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saharsa, in connection with Bihra P.S. Case No. 89 of 2019,



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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