

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56243 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- DEEPNAGAR District- Nalanda

1. AJIT YADAV S/O ANIL YADAV R/O VILLAGE- KALYANPUR, P.S- DEEPNAGAR, DISTT.- NALANDA.
2. NITYANAND YADAV @ RAJNITI YADAV S/O ANUJ YADAV R/O VILLAGE- KALYANPUR, P.S- DEEPNAGAR, DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-09-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Deepnagar P.S. Case No. 269/ 2023 dated 19.06.2023 registered for the offence(s) punishable under Section(s) 147, 148, 149, 323, 337, 341, 342, 307, 427, 504 and 506 of the Indian Penal Code and section 27 of Arms Act.

3. Mr. Raj Kishore Prasad, learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case and there is a case and counter case in between the parties. It is further submitted that the petitioners and the informant are neighbours and there is a land dispute running in between the parties and due to the said reason the present F.I.R. has been instituted. It is also submitted that there is no specific allegation against these petitioners and nobody has sustained any kind of injury in the alleged occurrence.



4. Mr. Ashok Kumar Singh, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having considered the facts and circumstances of this case and mainly the circumstances that as per F.I.R., a dispute regarding construction of a boundary wall is said to be the genesis of the alleged occurrence and altogether nine persons including the petitioners have been named in the F.I.R. but admittedly no-one sustained any injury in the alleged firing and there is a case and counter case in between the parties, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Deepnagar P.S. Case No. 269/ 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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