

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63524 of 2024

Arising Out of PS. Case No.-465 Year-2022 Thana- KATEYA District- Gopalganj

1. JAI SHREE YADAV @ JAI SHRI YADAV S/O LATE DOMA YADAV R/O VILLAGE- MAHANTHAWA, P.S- KATEYA, DIST.- GOPALGANJ.
2. DIPU YADAV @ DIPPU YADAV S/O JAI SHREE YADAV @ JAI SHRI YADAV R/O VILLAGE- MAHANTHAWA, P.S- KATEYA, DIST.- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Lokesh Kumar Singh, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-09-2024 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, 354B, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, Petitioner No. 1 is alleged to have given farsa blow on the head of informant and Petitioner No. 2 inflicted knife on the head of son of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. As a matter of fact, both parties are agnates and due to land dispute, a free fight took



place between the parties, as a result of which both sides sustained injuries. There is case and counter-case between the parties. Injuries, allegedly caused by Petitioner No. 1, have been found to be simple in nature. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation of assault. It is further submitted that injuries allegedly caused by Petitioner No. 2 have been found to be grievous in nature.

6. Considering the aforesaid facts and circumstances, gravity of offence and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner No. 2 is rejected.

7. So far as Petitioner No. 1 is concerned, considering the nature of injuries sustained by the injured, case and counter-case between the parties and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Kateya P.S. Case No. 465 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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