

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63065 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- HUSSAINGANJ District- Siwan

Sugandh Yadav, Son of Chandrika Yadav, Resident of village - Sahuli Tola
Faldudhiya, Police Station - Hussainganj, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Tiwary, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-10-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel
for the Petitioner and Mr. Ajay Kumar Jha, learned APP for the
State.

2. The petitioner apprehends his arrest in connection with Hussainganj P.S. Case No. 232 of 2023 dated 13.09.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. Learned counsel appearing for the petitioner submits that the petitioner has fair and clean antecedent and as per FIR, the petitioner and co-accused Rama Shankar Yadav are alleged to have assaulted at the head of the informant by means of an iron rod but the said allegation is not specific against the petitioner and on the left parietal region of head of the



informant, only one injury lacerated wound 1" x ¼" scalp deep was found and the same is opined to be simple in nature by the doctor concerned and admittedly, both the parties are agnates and in between them there is a land dispute existing. Learned counsel further submits that though as per the injury report, one injury to the informant found on his chest has been opined to be grievous in nature but the same has not been attributed to the petitioner. It is further submitted that in fact, petitioner's father has lodged Hussainganj P.S. Case No. 73 of 2022 against the prosecution party and thereafter, another case bearing Hussainganj P.S. Case No. 77 of 2022 has been lodged by the petitioner against the informant of the present case and his family members and to put pressure, this false case has been lodged by the informant in the background of previous enmity.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Considering the facts and circumstances of this case as well as above submissions coupled with the petitioner's fair and clean antecedent and the nature of informant's injury which is specifically attributed to the petitioner and co-accused and also the fact that in between both the parties, there was a land dispute at the time of commission of the alleged



occurrence, in my opinion, in the said circumstances, the petitioner deserves to the relief of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Hussainganj P.S. Case No. 232 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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