

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60519 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- ANDHRATHARHI District- Madhubani

1. Jagannath Yadav S/o- Rajendra Yadav Resident of Village- Bhikhana PS- Andhrathadhi, Dist- Madhubani
2. Narayan Yadav @ Narayan Kumar Yadav Son of Jagannath Yadav Resident of Village- Bhikhana PS- Andhrathadhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Andhrathadhi P.S. Case No. 75 of 2024 for the offence registered under sections 342, 323, 324, 354(B), 379, 427, 452 and 34 of the IPC lodged on 13.05.2024 by the informant Surya Narayan Yadav.

3. As per the prosecution story, the informant alleged that due to previous land dispute, the accused persons armed variously came and so far as the petitioner is concerned, he gave '*farsa*' blow on the head causing injury.

4. When the wife tried to save him, she was also beaten and her modesty outraged. Accordingly, the FIR.

5. It is the case of the petitioners that due to land dispute the scuffle took place, there is case and counter case, the case of the petitioners being earlier one, both the petitioners do



not have criminal antecedent and so far as the allegation part on petitioner no. 2 is concerned, the injury has been sustained not on the head rather on the hand which has been found to be simple in nature.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though there is case and counter case, allegation of assault is on petitioner no. 2.

7. Having gone through the facts of the case as also the submissions put forward by the parties and the fact that there is case and counter case, injury is simple in nature, it is on the arm, both petitioners do not have criminal antecedent, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class Jhanjharpur, Dist- Madhubani in connection with Andhrathadhi P.S. Case No. 75 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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