

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.62452 of 2024

Arising Out of PS. Case No.-260 Year-2019 Thana- SAUR BAZAR District- Saharsa

1. Darveshwar Yadav Son of Late Bhaiyalal Yadav Resident of Village- Jagir, P.S.- Sour Bazar, Distt.- Saharsa
2. Dilkhush Yadav @ Dilkhush Kumar Son of Darveshar Yadav Resident of Village- Jagir, P.S.- Sour Bazar, Distt.- Saharsa

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Chandra Mohan Jha, Advocate
For the Opposite Party : Mr.Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 308, 427, 447, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution case, on 30.06.2019 at around 11:30 A.M., when the informant was sitting at his door, all the FIR named accused persons including these petitioners came there and started arguing with the informant. Upon which all the accused persons attacked informant with axe and petitioner no.1 wrapped a rope around his neck with intention to kill him. They also snatched Rs. 5.000/- from his pocket and a gold chain worth Rs. 32,000/ and also broken the glass of his four wheeler. Upon raising alarm, other FIR named accused persons came lashed with lathi, danda with intention to kill the informant, but the informant hid himself and saved.

4. It is submitted on behalf of the petitioners that petitioner no.1 is own uncle of informant and land dispute is



going on between the parties for partition of ancestral property. Doctor has found simple injury. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, 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 Chief Judicial Magistrate, Saharsa in Sour Bazar Police Station Case No. 260/2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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