

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62541 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- GHOGHARDIHA District- Madhubani

Shyamanand Yadav @ Shyam Yadav S/o Late Khushilal Yadav R/o vill -
Tilath, P.S. - Ghoghardiha, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Adv. Mr. Gagan Deo Yadav, Adv.
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has

been filed by the petitioner apprehending his arrest in a case

instituted for the offence punishable under Sections 341, 323,

307, 379, 504, 506/34 of the Indian Penal Code.

3. prosecution case in nutshell is that petitioner

along with other co-accused persons came to the land of

informant and uprooted *Khuta*. When the informant raised

objection, co-accused Shrawan Yadav assaulted the informant

by means of Khanti due to which he sustained head injury.

When his wife came to his rescue, co-accused Babli Kumari,



Munni Devi and Chandani Kumari assaulted her due to which she also sustained head injuries. Allegation against the petitioner is that he assaulted the mother of informant by means of axe due to which she sustained injuries below the eye. It is further alleged that petitioner and other co-accused persons threatened the informant of dire consequences.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Informant and petitioner are own brothers and in the background of land dispute, present occurrence took place. There is litigating terms between the parties. From perusal of the injury report of informant's mother (Pavitri Devi) it appears that she has sustained injuries on left side of shoulder joint and doctor has opined the injury as simple in nature. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and



in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Ghoghardiha P.S. Case no. 13 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Jhanjharpur, Madhubani, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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