

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66424 of 2023

Arising Out of PS. Case No.-338 Year-2023 Thana- PAKARIBARAW District- Nawada

Anoj Yadav @ Anoj Kumar Son Of Bundi Yadav @ Vundi Yadav Resident Of
Village - Bhagwanpur, P.S. - Pakribrawan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Sheo Kumar Prasad, Adv.
For the State	:	Mr. Pawan Kumar Chaurasia, APP
For the Informant	:	Mr. Vibhuti Ranjan Sonvadra, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

8 12-03-2024 Heard learned counsel for the petitioner and learned
APP for the State as also counsel for the Informant. Perused the
case diary.

2. The petitioner seeks bail in connection with
Pakribarawan P.S. Case No. 338 of 2023 instituted for the
offences under Sections 341, 323, 324, 325, 354, 307, 379, 504,
506, 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per prosecution case, the petitioner along with
other family members named in the F.I.R. attacked the
Informant/Rinku Devi and her husband/Rajesh Yadav. It has
been alleged that the petitioner along with other accused persons



armed with deadly weapons including fire-arms attacked the Informant and her husband due to which Rajesh Yadav received serious injury on her body. There is a specific allegation against the petitioner of assaulting the husband of the Informant by means of *Gadasa* causing grievous injury on his head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are agnate and there is an admitted land dispute between them. There is a case and counter case between the parties. There is no specific and direct allegation against the petitioner rather the same is general and omnibus in nature. The petitioner has altogether five criminal antecedent as has been stated in paragraph no.3 of the present bail application as well as supplementary affidavit. The petitioner is languishing in judicial custody since 01.08.2023. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner stating that there is specific and direct allegation of assault by *Gadasa* on the head of the husband of the Informant due to which he sustained grievous injury on his head. The injury



report also corroborates the allegation of assault and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakribarawan P.S. Case No. 338 of 2023.

(Rudra Prakash Mishra, J)

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