

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66765 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

1. Pappu Kumar S/o- Dhiro Yadav @ Dhirendra Yadav R/o - Sri Rampur, P.S - Akbarnagar, District - Bhagalpur
2. Mithlesh Kumar Son of Dhiro Yadav @ Dhirendra yadav R/o - Sri Rampur, P.S - Akbarnagar, District - Bhagalpur
3. Mithun Kumar Yadav @ Mithun Kumar Son of Dhiro Yadav @ Dhirendra Yadav R/o - Sri Rampur, P.S - Akbarnagar, District - Bhagalpur
4. Anita Devi Wife of Dhiro Yadav @ Dhirendra Yadav R/o - Sri Rampur, P.S - Akbarnagar, District - Bhagalpur
5. Dhiro Yadav @ Dhirendra Yadav Son of Chano Yadav @ Chandrika Yadav R/o - Sri Rampur, P.S - Akbarnagar, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Akbarnagar P.S. Case No. 68 of 2024 registered on 12.06.2024 for the alleged offences under Section 323, 341, 448, 354, 307, 504, 506, 379 and 34 of the Indian Penal Code.

03. As per prosecution case, petitioners entered into the house of the informant and put his mother down. They further assaulted the informant, his wife and his father.



04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The occurrence took place as the toilet water of the informant was falling in the tank of the petitioners as work of construction of drain was going on and the same was opposed by the petitioner. Learned counsel submits that the occurrence took place over very petty matter. Learned counsel also submits that the injury report of the victims did not show any fracture or any grievous or serious injury. Rather the injuries are quite simple and non-serious. Learned counsel further submits that the petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-serious nature of injuries and also considering the possibility of false accusation in the background of the dispute, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-II, Bhagalpur in connection with Akbarnagar P.S. Case No. 68 of



2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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