

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69748 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- GADHPURA District- Begusarai

1. Ghuran Yadav son of Ram Badan Yadav Village- Kaura, Ps- Garhpura, Dist- Begusarai
2. Sadhu Sharan @ Shadhu Sharan Das Son of Tilak Das Village- Kaura, Ps- Garhpura, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant's side brutally by means of deadly weapons due to which they sustained several injuries. They also abused the informant's side and threatened them to kill. It is further alleged that petitioner no.1 assaulted the informant with an iron rod on his head and snatched his golden chain worth Rs. 33,000/-. Co-accused



Subodh Yadav assaulted the informant's wife with *lathi* and snatched her earring.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. It is further submitted that there is admitted land dispute between the parties. Both sides have filed cases against each other. Learned counsel further submits that there is no specific overt act against petitioner no.2. Though there is allegation against petitioner no.1 to assault the informant by means of iron rod, but as per his injury report, the injuries were found simple in nature. There is specific overt act against co-accused Subodh Yadav to assault one Renu Devi by means of *lathi* causing her grievous injury. He further submits that petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners



and the injuries caused by petitioner no.1 to the informant are simple in nature, the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Garhpura P.S. Case No. 33 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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