

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72746 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- Patour District- Darbhanga

1. Ganga Yadav Son of Late Anup Yadav Resident of Village- Barki Daing, P.S.- Patour, Dist- Darbhanga.
2. Chandravir Yadav Son of Ganga Yadav Resident of Village- Barki Daing, P.S.- Patour, Dist- Darbhanga.
3. Chandu Yadav Son of Ganga Yadav Resident of Village- Barki Daing, P.S.- Patour, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Pator P.S. Case No. 49/2024 registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and others are said to have assaulted the informant. It is alleged that petitioner no.3 is said to have assaulted the informant by means of *farsa* and petitioner no.2 is said to have assaulted the informant upon the head by means of *farsa* as a result of which



he sustained head injury and fell down, when Sikandar Yadav came to save the informant he also sustained injury. It is alleged that the petitioner and others entered into the house of the informant and damage the articles and the informant was admitted to D.M.C.H.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. There is case and counter case between the parties on the same date of occurrence. He further submits that date of occurrence is 15.06.2024 and the fardbeyan of the informant recorded on 19.06.2024 without any plausible explanation of the delay. The injury of the informant is simple in nature though there is allegation against the petitioners and others who have assaulted the informant but only two injuries are sustained by the informant and another person Sikandar Yadav who was also said to have injured but he did not get any treatment. Both parties are agnates and there is land dispute between the parties and in the cases of land dispute facts are generally exaggerated to make the case graver.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Darbhanga in connection with Pator P.S. Case No. 49/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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