

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77769 of 2024

Arising Out of PS. Case No.-494 Year-2023 Thana- BELHAR District- Banka

1. Sunil Yadav @ Sunil Kumar Yadav S/o Hansraj Yadav @ Hansraj Prasad Yadav R/o Vill- Amhara Tola Nimia, P.O and P.s- Belhar, Distt.- Banka
2. Arun Yadav @ Arun Kumar S/o Hansraj Prasad Yadav @ Hansraj Yadav R/o Vill- Amhara Tola Nimia, P.O and P.s- Belhar, Distt.- Banka
3. Hansraj Yadav @ Hansraj Prasad Yadav S/o Singheshwar Yadav R/o Vill- Amhara Tola Nimia, P.O and P.s- Belhar, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar, Adv.
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. This application, for grant of anticipatory bail, arises out of Belhar P.S. Case No. 494 of 2023, dated 21.11.2023, disclosing offences under Sections 341, 323, 325, 308, 504, 506 and 34 of the I.P.C.

3.The prosecution case, as per the First Information Report, is that on 21.11.2023, while the informant was at his field, in the meanwhile, petitioners and other accused persons came there, started abusing and upon protest, the petitioners assaulted the informant, due to which the left hand of the



informant was broken and when the informant's nephew intervened, the petitioners assaulted him also by sharp cutting weapon.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute between the parties. A counter-case has been lodged by the side of the petitioners against the informant's side bearing Belhar P.S. Case No. 495 of 2023. Referring to impugned order, learned counsel submits that allegation against the petitioners and others is general and omnibus in nature, however, the injury caused to the informant is grievous in nature and his left ulna bone was found broken which is not the vital part of the body.

5. Having regard to the submissions made on behalf of the parties, taking into consideration the fact that there is a previous land dispute between the parties, counter-case has also been lodged by the side of the petitioners, allegation against the petitioners is general and omnibus in nature and injury caused to the informant is on the non-vital part of the body, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Belhar P.S. Case No. 494 of 2023, subject to the condition laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J.)

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