

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81504 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

1. KRISHNA YADAV Son of Guru @ Guru Chaudhary R/o Vill. - Paharpur Chhanpur, P.S.- Kuchikote, District - Gopalganj.
2. Guru @ Guru Chaudhary Son of Late Jugal Chaudhary R/o Vill. - Paharpur Chhanpur, P.S.- Kuchikote, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Since this petition for anticipatory bail has been dismissed as withdrawn with regard to petitioner no. 2 *vide* order dated 21.12.2023, hence, the present petition for anticipatory bail shall only be considered for petitioner no. 1.

2. Heard learned counsel for the petitioner no.1 and learned A.P.P. for the State.

3. The petitioner no.1 apprehends his arrest in connection with Kuchaikote P.S. Case No. 243 of 2023 dated 23.05.2023 instituted for the offence punishable under Sections 341, 323, 324, 325, 307, 504/ 34 of the IPC.

4. As per prosecution case, the agnates of the informant on the point of partition assaulted her husband by



means of *Farsa* and rod causing injuries on his head and hand. It is further alleged that the informant was also assaulted by them.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. It is submitted that petitioner has also previously lodged an FIR bearing Kuchaikote PS Case No. 242/2023 against the informant and her family members on the same day for the same occurrence. It is next submitted that there is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. Both sides are agnates and there is land dispute between them. It is further submitted that from the injury report of Ramji Yadav (husband of the informant), it appears that there is lacerated wound on the head and swelling on right hand. Lastly, it is submitted that petitioner has got clean antecedent.

6. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner, KRISHNA YADAV within a period of six weeks from today, in connection



with Kuchaikote P.S. Case No. 243 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Gopalganj subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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