

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80302 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- BIHRA District- Saharsa

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1. Dilip Yadav @ Dilip Kumar S/O Dukha Yadav R/O Village- Laxminiya, Ward no.- 1, P.S- Bihra, Dist- Saharsa.
 2. Mithilesh Yadav @ Mithilesh Kumar S/O Dukha Yadav R/O Village- Laxminiya, Ward no.- 1, P.S- Bihra, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bihra P.S. Case No. 84 of 2024, instituted under Sections 341, 323, 324, 325, 307, 379, 384, 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution case, on the date of occurrence F.I.R. named accused persons including petitioners armed with weapons came at the field of the informant and stopped him to cultivate the field. Petitioner no. 1 is alleged to have assaulted the informant with three-nut on his head causing injury and petitioner no. 2 is alleged to have assaulted him with



rod on his head causing injury. Other accused persons assaulted the son and cousin brother of the informant. Co-accused Sunita Devi snatched the golden chain of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to land dispute between the parties. There is case and counter case between the parties. F.I.R. has been lodged after five days of the occurrence without any plausible explanation. Injuries sustained by the informant is simple in nature. Both parties are own *Gotia*. Petitioners have two criminal antecedents which have been filed by the *Gotia* of the petitioners for land dispute. No incriminating material has been recovered from possession of the petitioners. Petitioners are ready to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned Judicial Magistrate 1st Class, Saharsa in connection with
Bihra P.S. Case No. 84 of 2024, subject to the conditions laid
down in Section 482 (2) of the Bhartiya Nagrik Suraksha
Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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