

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82373 of 2023

Arising Out of PS. Case No.-104 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Subhash Yadav, son of Tilleshwar Yadav,
 2. Suchit Kumar, son of Subhash Yadav,
 3. Suman Kumar, son of Subhash Yadav
 4. Sanjay Kumar @ Sanjay Kumar Yadav, Son of Shashibhushan Yadav
All are residents of Village - Chakfajula, Ward No.04, P.S. - Udakishunganj,
District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Udakishunganj P.S. Case No. 104 of 2023 registered for the alleged offences under Sections 341, 323, 307, 384, 327, 504, 506/34 of the Indian Penal Code and Section 92 of the Right of Persons with Disabilities Act, 2016.

3. As per prosecution case, the petitioners and other co-accused persons assaulted the informant when he asked them to vacate the land falling in his share. They also demanded extortion money from the informant.



4. The learned counsel for the petitioners submits that the petitioners are innocent and land dispute is admitted. The petitioners and the informant are agnates. There is no specific allegation of assault against any of the petitioners. The injury report of the informant shows superficial injury of pain and swelling in left knee and the injury is stated to be simple. The learned counsel further submits that the informant is taking advantage of his physical disability and lodging the case against the petitioners to pressurize them. The learned counsel further submits that the petitioners are accused in one more case vide Udakishunganj P.S. Case No.144 of 2023 under Sections 341, 323, 307, 354, 379, 327, 504, 506/34 of the Indian Penal Code and Section 92 of the Right of Persons with Disabilities Act, 2016 lodged by the same informant in which the petitioners are on bail.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of land dispute and superficial nature of injury, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight



weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Udakishunganj, Madhepura, in connection with Udakishunganj P.S. Case No. 104 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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