

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4661 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- CHOUTARWA District- West
Champaran

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1. SARITA DEVI @ SHARIFA DEVI Wife of Vrijesh Yadav @ Brijesh Yadav
R/o vill - Hardi Nadwa, P.S. - Choutarwa, Distt. - West Champaran
 2. Vrijesh Yadav @ Brijesh Yadav Son of Late Harendra Yadav R/o vill - Hardi
Nadwa, P.S. - Choutarwa, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with
Choutarwa P.S. Case No. 215 of 2023 dated 20.07.2023
registered under Sections 341, 323, 324, 307, 379, 504, 506, 34
of the I.P.C.

3. As per the prosecution story while the informant was
working in his agricultural field and was putting the weeds
taken out from the land on the common boundary of the
informant and the petitioners, the petitioner no. 2 assaulted the
informant by means of *farsa* causing head injury and one
Mamta Kumari snatched Rs.1000/- from the pocket of the
informant.



4. Learned counsel for the petitioners submits that an omnibus allegation has been levelled against the accused persons including the petitioner no. 1. Learned counsel further submits that entire family members have been made accused including the wife of the petitioner no. 2 by the informant, who happens to be the own brother of the petitioner no. 2. There is land dispute between the parties due to which there was previous enmity and several other cases were filed against the petitioner no. 2 and other family members. Referring to Annexure-2 learned counsel submits that injury caused to the informant is simple in nature. He further submits that there is case and counter case also filed on behalf of the side of the petitioners for an occurrence which had taken place on the same date and time.

5. Regard being had to the submission made by the parties, taking into consideration the fact that both the parties are closely related, there is land dispute between them and injury caused to the informant is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-1st, Bagaha, West Champaran in connection with Choutarwa P.S. Case No. 215 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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