

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2786 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- NAUHATTA District- Saharsa

1. RAM BADAN YADAV SON OF LATE BHOLA YADAV R/O VILLAGE- BHELARI, P.S.- NAUHATTA (O.P. DARHAR), DIST.- SAHARSA
2. RABBO YADAV @ NITISH KUMAR SON OF CHANDESHWARI YADAV R/O VILLAGE- BHELARI, P.S.- NAUHATTA (O.P. DARHAR), DIST.- SAHARSA
3. CHANDRA KISHORE YADAV SON OF LATE RAMDEV YADAV R/O VILLAGE- NARAYANPUR, P.S.- NAUHATTA (O.P. DARHAR), DIST.- SAHARSA
4. RAJ KISHORE YADAV SON OF LATE RAMDEV YADAV R/O VILLAGE- NARAYANPUR, P.S.- NAUHATTA (O.P. DARHAR), DIST.- SAHARSA
5. PARHASH KUMAR @ PRABHASH YADAV SON OF CHANDRA KISHORE YADAV R/O VILLAGE- NARAYANPUR, P.S.- NAUHATTA (O.P. DARHAR), DIST.- SAHARSA

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR PATNA

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioners and

the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 324, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case , in brief, is that the



informant Natho Yadav alleged that on June 11, 2023, at about 3 p.m., petitioner No. 5 Prabhash Yadav was carrying the earth soil by tractor, due to which the corn crop of the informant got damaged, upon which the son of the informant Naresh Yadav objected, then petitioner No. 5 Prabhash Yadav, petitioner No. 3 Chandra Kishore Yadav, and petitioner No. 4 Raj Kishore Yadav abused and assaulted him by means of fist and slap. It is further alleged that after one and half hours, petitioner No. 1 Ram Badan Yadav, co-accused Chandeshwari Yadav, co-accused Hari Yadav, co-accused Nirmal Yadav, and co-accused Rabo Yadav surrounded the son of the informant, namely Naresh Yadav, outside the village and petitioner No. 1 Ram Badan Yadav and petitioner No. 5 Prabhash Yadav assaulted on the head of Naresh Yadav by means of a dabiya and iron rod, respectively, and when one Kamlesh Yadav tried to save him, he was also assaulted. It is further alleged that during the course of the occurrence, the accused persons snatched a mobile phone and a locket of gold from the son of the informant.



4. It is submitted on behalf of the petitioners that there is a pending land dispute between the parties, due to which these petitioners have falsely been implicated in this case. Though , there is an allegation of assault against these petitioners, but the injury report of the injured Naresh Yadav does not support the version of the informant as alleged in the F.I.R. There is case and counter case . Injury sustained by the injured is found to be simple in nature. Petitioners claim a clean antecedent. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6. Considering the criminal antecedent of these petitioners, nature of injury of the injured and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J . M., First Class, Saharsa in



connection with Nauhatta (O . P . Darhar) P.S. Case No.
131 of 2023 , subject to the conditions laid down under
section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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