

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6368 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- JHAJHA District- Jamui

1. Pawan Yadav Son of Janaki Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
2. Janaki Yadav Son of Late Baldeo Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
3. Mattal Yadav Son of Late Baldeo Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
4. Satish Yadav Son of Naresh Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
5. Babita Devi W/o Janki Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
6. Gautam yadav Son of Mahendra Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui
7. Naresh Yadav Son of Late Amir Yadav R/o vill - Gobindpur, P.S. - Jhajha, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akshansh Ankit, Advocate
		Mr. Prakash Kumar, Advocate
For the Opposite Party/s :		Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner nos.4 and 6, submitting that during pendency of this application petitioner nos.4 and 6 have been apprehended by the police.

3. Permission is granted.



4. Accordingly, this application is dismissed as withdrawn in respect of petitioner nos.4 and 6.

5. Now, this application survives for petitioner nos.1, 2, 3, 5 and

6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324 and 307/34 of the Indian Penal Code.

7. All the accused persons named in the F.I.R. having with deadly weapons came to the informant and assaulted him and other persons by their respective arms.

8. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent, except petitioner no.7 who has one criminal antecedent, as mentioned in para-3 of this application.

9. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1, 2, 5 and 7, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Jhajha P.S. Case No. 85 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

10. Considering the facts and circumstances of case as well as the fact that there is specific allegation of assault against petitioner no.3, I am not inclined to enlarge petitioner no.3 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.3 is hereby rejected. However, petitioner no.3 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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