

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8900 of 2024

Arising Out of PS. Case No.-26 Year-2023 Thana- ANDHRAMATH District- Madhubani

1. Naresh Yadav @ Naresh Kumar Yadav S/O Khushilal Yadav
2. Rampravesh Yadav S/O Khushilal Yadav
3. Vikash Kumar Yadav@ Vikash Kumar Raj S/O Naresh Yadav
4. Mukesh Yadav @Mukesh Kumar S/O Rampravesh Yadav
5. Reena Devi @ Reena Kumari S/O Ramavtar Yadav
6. Vevi Devi @ Devi Devi W/O Rampravesh Yadav
Resident Of Village- Subatol, Post-Bharphori, P.S- Andhramath, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Madhav Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Shailendra

Kumar, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with

Andhramath P.S.Case No.26 of 2023 registered for the offences

punishable under Sections 341, 323, 324, 307, 397, 427, 504

and 506/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, the

petitioners due to land dispute had assaulted the informant and

his family members along with the other accused persons.



4. Mr. Madhav Kumar, learned counsel appearing on behalf of the petitioners submitted that the specific allegation is against petitioner no.1 that he had assaulted by means of '*Dabiya*', which caused head injury to the informant but the Doctor has opined the injury to be simple in nature. Petitioner no.2 had assaulted one Rahul Yadav by means of '*Farsa*', which caused injury on the leg of the victim, Rahul Yadav. Allegation against the petitioner nos. 3 to 6 is general and omnibus. Learned counsel further submitted that there is case and counter case between the parties and the petitioners' side have also lodged an FIR for similar allegation against the informant's side. On these grounds, the learned counsel for the petitioners seeks the petitioners to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties as well as considering the nature of the injury and there is case and counter case between the parties, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of



the like amount each to the satisfaction of learned SDJM, Jhanjharpur/concerned court in connection with Andhramath P.S.Case No.26 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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