

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9004 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- NARHATT District- Nawada

Shambhu Yadav Son of Baleshwar Yadav Resident of Village- Hamidpur
Bara, P.S.- Narhat, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Manmohan Kumar, Advocate
For the State	:	Mr.Md. Aslam Ansari, APP
For the Informant	:	Mr.Arjun Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP for
the State duly assisted by learned counsel for the informant.

2. The accused-petitioner, named in the F.I.R., is apprehending their arrest in connection with Narhat P.S. Case No. 302 of 2023 registered for the offences punishable under Sections 147, 149, 341, 448, 323, 307, 325, 504, 506 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. Allegation against the petitioner alongwith other co-accused persons is to assault the informant and his family members by using Garasa and sword etc. causing head and bodily injury, having intention to cause their death.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the occurrence in issue arises out of land dispute, which is apparent from F.I.R. itself. It is submitted that allegation



regarding assault is available against co-accused Sajan Kumar and Pappu Kumar where the maximum allegation appears against the petitioner is to be the part of mob only. Petitioner is a man of clean antecedent and moreover, similarly situated co-accused persons have been granted privilege of anticipatory bail by learned coordinate Bench of this Court in Cr. Misc. No. 5605 of 2024 dated 17.02.2024.

5. Learned A.P.P. for the State duly assisted by learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case and by taking note of the submission that allegation of assault is not available against petitioner rather same appears against co-accused persons namely, Sajan Kumar and Pappu Kumar, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Nawada in connection with Narhat P.S. Case No. 302 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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