

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3427 of 2025**

Arising Out of PS. Case No.-168 Year-2024 Thana- SHAMBHUGANJ District- Banka

1. Arun Yadav @ Arun Kumar Yadav Son of Baleshwar Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
2. Pawan Yadav @ Pawan Kumar Yadav Son of Ramanand Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
3. Raju @ Rajesh Yadav Son of Late Ram Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
4. Amarjeet Kumar Son of Gopal Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
5. Soni Devi Wife of Gopal Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
6. Pankaj Yadav @ Pankaj Kumar Yadav Son of Umesh Prasad Yadav @ Late Umesh Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka
7. Pankaj Yadav @ Pankaj Kumar Yadav Son of Anil Prashad Yadav @ Anil Yadav Resident of Village - Baidpur, P.O. - Baidpur, P.S. - Shambhuganj, Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                     |   |                            |
|---------------------|---|----------------------------|
| For the Petitioners | : | Md. Najmul Hodda, Advocate |
| For the State       | : | Mr. Arun Kumar Singh, APP  |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      19-02-2025

Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on 06.06.2024 at about 1:30 PM, while the informant was at her



shop, in the meantime, all the accused persons named in the F.I.R., including these petitioners, armed with rods and *lathi*, came there and abused and assaulted informant. When relatives of informant intervened, they were also assaulted. It is further alleged that all the accused persons looted articles and cash of Rs. 20,000/- from shop of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. Both parties are co-villagers and land dispute is going on between them and in order to grab the private land of the petitioners, this false and concocted case has been lodged. As a matter of fact, on the alleged date and time of occurrence, when the petitioners went to their private land to break the lock, the prosecution party became aggressive and an altercation took place in which both sides sustained injuries. There is case and counter-case between the parties. Allegation of assault is general and omnibus. There is no specific accusation of overt act against these petitioners. Doctor has found the injuries allegedly caused by these petitioners to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the



petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation, case and counter-case between the parties, nature of injuries sustained by the injured and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners 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 learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 168 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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