

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5443 of 2025

Arising Out of PS. Case No.-319 Year-2023 Thana- CHOUTARWA District- West
Champaran

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1. Abhishek Yadav @ Tuntun Yadav S/o Chandrika Yadav R/o Village- Bathwariya, Ward No. 9, Police Station Bathwariya, District- West Champaran
 2. Chandrika Yadav S/o Late Deonath Yadav R/o Village- Bathwariya, Ward No. 9, Police Station Bathwariya, District- West Champaran
 3. Sanjay @ Sanjay Yadav S/o Bagar Yadav R/o Village- Bathwariya, Ward No. 9, Police Station Bathwariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kr Singh No. 1, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioners and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Chautarwa (Bathwariya) P.S. Case No.-319 of 2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

3. As per allegation, the petitioners and other co-accused have assaulted the informant, causing simple injury on his head.

4. Ld. counsel for the petitioners submits that the



Petitioners are innocent and has falsely been implicated in this case. He further submits that as a matter of fact on account of land dispute, there was altercation and injury was received on both the sides and case and counter case have been filed and counter case filed by the petitioner is Bathwariya P.S. Case No. 316 of 2023.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no. 2 has no criminal antecedents, whereas petitioner nos. 1 and 3 have one criminal antecedent.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the case and counter case and injury on both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-I, Bagaha, West Champaran



in connection with Chautarwa (Bathwariya) PS. Case No.-319 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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