

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35975 of 2025**

Arising Out of PS. Case No.-176 Year-2024 Thana- AMAS District- Gaya

- 
1. Vinay Yadav @ Vinay Kumar S/o- Late Arjun Yadav Village- Bankat , P.S- Amas District - Gaya
  2. Nemat Khan S/o- Dhammu Khan @ Shamim Khan Village- Lodi Shahid , P.S- Sherghati District - Gaya
  3. Md. Imtiyaz Alam @ Md. Imtiyaz Ansari S/o- Late Reyaz Ansari Village- Akauna , P.S- Amas District - Gaya
  4. Deepak Kumar @ Deepak Paswan S/o- Surendra Paswan Village- Akauna , P.S- Amas District - Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

---

**Appearance :**

For the Petitioner/s : Mr.Brijmohan Das  
For the Opposite Party/s : Mr.Yogendra Kumar

---

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      18-06-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Amas P.S. Case No. 176 of 2024 registered for the offences punishable under Sections 323, 341, 147, 149, 307 of the IPC.

3. As per prosecution case, informant and her sons went to village-Akauna to visit his land, as mentioned in the FIR. It is alleged that petitioners and other assaulted the informant by means of lathi, danda and iron rod. It is further



alleged that on call police came but after returning of police party, informant and her sons were again assaulted.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that there is case and counter case between both the parties on the same date of occurrence and hence, free fighting cannot be ignored. He further submits that from perusal of the FIR itself, it is clear that there is dispute of passage with regard to khata no. 235, plot no. 213 in which proceeding of 144 Cr.P.C. was also initiated between Ram Ratan Das and petitioner no. 1 and photocopy of report of Circle Officer, Amas is annexed as Annexure-4 of the bail petition. He further submits that in the light of aforesaid fact, bona fide land dispute between both the parties cannot be ignored and in cases of land dispute facts are generally exaggerated to make the offence graver. He further submits that there is no specific allegation against any of the petitioners. All the injured persons have sustained simple injury. Apart from that, petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, there is no specific allegation against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Amas P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

shahzad/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

