

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76996 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- SATHI District- West Champaran

1. Janak Yadav Son of Sri Shukul Yadav @ Sukul Yadav R/O Vill.- Basantpur, P.s.- Sathil, Dist.- West Champaran.
2. Lalu Yadav Son of Mohan Yadav R/O Vill.- Basantpur, P.s.- Sathil, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate
For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-04-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sathi P.S. Case no.52 of 2024 registered under Section 307, 147, 148, 149, 341, 323, 325, 324, 354B, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, on 26.03.2024 at about 8:00 a.m. 15 named accused persons including the petitioners herein who are the *pattidars* came variously armed with lathi and danda etc., and started abusing and assaulting the informant and his family members due to which the informant as also his



family members received injuries.

4. Learned counsel for the petitioner submits that the petitioners have been falsely implicated in the case. It would appear from the F.I.R that petitioners and the informants are the *pattidars* and there was land dispute between them. He further submits that with regard to land dispute, a title suit is also pending in the learned Court below between the parties. There is a case and counter case. The occurrence is other than what has been narrated in the F.I.R and the correct version has been narrated in the Sathi P.S. Case No. 53 of 2024 which was lodged by the petitioners' side. The petitioner no. 1 has no criminal antecedent and petitioner no. 2 has one criminal antecedent who is on bail on the said case. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State by stating that the informant and his family members have received injuries on account of assault made upon them. In response, learned counsel for the petitioners submits that with regard to assault made upon the informant and his *bhabhi* upon petitioner no. 1, which would appear from the records, that there is no injury report of the informant as such he did not receive any substantial injury. So far as informant's



bhabhi is concerned, the injury report would show that the injuries are simple in nature. So far as allegation against petitioner no. 2 regarding assault of Umesh Yadav is concerned, the injury report would show that two injuries are simple in nature while one injury is grievous in nature i.e. pain, tenderness and swelling over left wrist which is not on vital part of the body.

6. In view of entire facts and circumstances of the case, it is directed that both the petitioner above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Sathi P.S. Case no.52 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M, West Champaran at Bettiah, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the learned Court below would however, verify the criminal antecedent of the petitioner no. 2 and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner no. 2. However, it is



expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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