

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79540 of 2024

Arising Out of PS. Case No.-321 Year-2024 Thana- BANKA District- Banka

1. Jattu Yadav @ Jadu Yadav S/o- Late Banarsi Yadav Resident of Chakkadih P.S-Banka, Dist- Banka
2. Anuplal Yadav S/o- Late Banarsi Yadav Resident of Chakkadih P.S-Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv
For the State : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioners, and
learned counsel for the State.

2. At the outset, learned counsel for the petitioner prays for withdrawal of the anticipatory bail application of petitioner no.1 namely, Jattu Yadav @ Jadu Yadav, the same is permitted to be withdrawn.

3. The prayer for bail of petitioner no. 1 will be considered on its own merit upon seeking regular bail.

4. Petitioner apprehends his arrest in connection with Banka P.S.Case No. 321 of 2024 registered for the offences punishable under Sections 115 (2), 126(2), 303(2), 352,118(1)3 (5) of BNSS Act.



5. The prosecution story as disclosed in the FIR would reveal an allegation on petitioner no. 1 having assaulted the informant with the spade with an intention to kill him, as a result of which, he sustained injury. Further prosecution story is that Anuplal Yadav, petitioner no. 2 along with Sumit Yadav also assaulted the informant by means of lathi and legs.

6. Learned counsel for the petitioners submits that with respect to petitioner no. 2, the allegation is totally general and omnibus and only refers to an assault by means of legs and lathi which have not caused any corresponding injury to anyone. Learned counsel further submits that the informant and petitioners are cousin brothers and there is land dispute between them.

7. Learned APP for the State opposes the anticipatory bail.

8. Taking into consideration all the above mentioned facts and circumstances and also considering that petitioner has no criminal antecedent, I am inclined to grant privilege of anticipatory bail to the petitioner no. 2. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in Banka P.S.Case No. 321 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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