

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11772 of 2020**

Arising Out of PS. Case No.-84 Year-2019 Thana- PARAIYA District- Gaya

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1. BHOLA YADAV Son of Chandarik Yadav @ Chandrika Yadav Resident of Village - Sikandarpur, P.S.- Paraiya, District- Gaya
  2. Kamlesh Yadav Son of Chandarika Yadav @ Chandrika Yadav Resident of Village - Sikandarpur, P.S.- Paraiya, District- Gaya
  3. Kameshwar Yadav @ Bhui Yadav Son of Late Rameshwar Yadav Resident of Village - Sikandarpur, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s	: Mr. Javed Jafar Khan, Adv.
For the informant	Mr. Uttam Kumar, Adv.
For the Opposite Party/s :	Mr. Matloob Rab, APP.

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      24-07-2020                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State, through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Paraiya P.S. Case No. 84 of 2019 registered under sections 307, 147, 148, 149 and 323 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that when he along with his wife were sitting in their house, the five named accused persons including the three petitioners herein came variously armed with Bhala, Garasa etc.



and assaulted the informant and his wife.

It is submitted by learned counsel for the petitioners that from the FIR itself it would be evident that the petitioners have been falsely implicated in the case due to land dispute between the parties, who are closely related. While the petitioner nos. 1 and 2 are full brothers of the informant, the petitioner no. 3 happens to be their cousin brother. It is further submitted that the allegations are general and omnibus in nature and the father of the informant has filed an informatory petition (Annexure-4) stating therein about the conduct of the informant. The petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State as also learned counsel for the informant.

It is submitted by learned counsel for the informant that not only the petitioners are named in the FIR but also there are direct allegations against them. From perusal of the injury reports of the informant and his wife, it would transpire that injury on parietal region has been found to be bone deep caused by sharp blunt object which, in the opinion of the doctor, was dangerous to life.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners



together with the injury reports of the informant and his wife,  
the Court is not inclined to enlarge the petitioners on  
anticipatory bail and, as such, their application for bail is  
rejected.

**(Partha Sarthy, J)**

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