

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70737 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- JOGAPATTI District- West Champaran

1. SHAIENDRA YADAV S/o Sri Harinarayan Yadav R/o Village- Siswa Bairagi, P.S.- Jogapatti (Nawalpur), Distt- West Champaran.
2. Pradeep Yadav S/o Sri Harinarayan Yadav R/o Village- Siswa Bairagi, P.S.- Jogapatti (Nawalpur), Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, after some altercation, the petitioners along with other co-accused persons have abused and assaulted the informant and his wife. Petitioner no.1 is said to have assaulted the informant by means of *gada*.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. There is admitted land dispute between the parties. There is case and counter case



between the parties. Both sides have filed cases against each other. One of the injuries sustained by the informant is grievous in nature. It is further submitted that after investigation, the police has filed final form against the petitioners but differing from the police report, the learned court below took cognizance against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the final form has been filed by the police, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jogapatti (Nawalpur) P.S. Case No.190 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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