

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20609 of 2019

Arising Out of PS. Case No.-172 Year-2018 Thana- RAGHUNATHPUR District- Siwan

1. Kasinath Yadav, aged about 40 years, Male, S/o Nandjee Yadav, Resident of Village- Patar (Bhusi Tola), P.S.- Raghunathpur, District- Siwan.
2. Raju Yadav @ Ravi Yadav, aged about 25 years, Male, Son of Kasinath Yadav, Resident of Village Patar (Bhusi Tola), P.S. Raghunathpur, District Siwan.
3. Arjun Yadav, aged about 22 years, Male, S/o Kasinath Yadav, Resident of Village- Patar (Bhusi Tola), P.S.- Raghunathpur, District- Siwan.
4. Abhishek Yadav, aged about 19 years, Male, Son of Kasinath Yadav, Resident of Village Patar (Bhusi Tola), P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2019 Heard both sides.

Petitioners apprehend their arrest in Raghunathpur P.S. Case No.172 of 2018, registered under Section 307 and other sections of the Indian Penal Code.

The informant, Ramesh Yadav, alleged that at about 2.00 P.M. on 01.10.2018, Kasinath Yadav, the petitioner no.1, came and began to abuse his father making allegation that the family members of the informant practiced witchcraft. The father of the informant forbid him from abusing but Raju Yadav, petitioner no.2, Arjun Yadav, petitioner no.3 and Abhishek



Yadav, petitioner no.4 having armed with different weapons came and started assaulting the informant, his father, Manji Yadav and Shiv Vilash Yadav indiscriminately.

Learned counsel for the petitioners submits that there is a counter version being Raghunathpur P.S. Case No.173 of 2018 from the side of the petitioners. Three persons were injured. The informant got simple injury. There is omnibus and general allegation of assault but learned counsel for the informant drew attention of the Court to the injuries found on the person of Shiv Vilash Yadav and Manji Yadav. Shiv Vilash Yadav got as many as four injuries and his head was scratched. Shiv Vilash Yadav got providential escape and the injury found on the head of Shiv Vilash Yadav is opined to be grievous. Similarly Manji Yadav also got one injury on head and multiple fracture of left parietal bone was found on the head of Manji Yadav.

Taking into consideration the facts that the petitioners are alleged to have assaulted Ramesh Yadav, Shiv Vilash Yadav and Manji Yadav and Shiv Vilash Yadav and Manji Yadav got grievous injuries on head, I am not inclined to enlarge the petitioners on anticipatory bail.

Accordingly, the prayer for anticipatory bail of the



petitioners is rejected.

If the petitioners surrender in the court below, the court below shall consider the prayer for regular bail of the petitioners without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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