

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60436 of 2019

Arising Out of PS. Case No.-134 Year-2018 Thana- GAYA MUFASIL District- Gaya

1. Kapil Yadav Son of Haridwar Yadav Resident of Village - Belhanti, P.S.- Mofassil, District - Gaya.
2. Shambhu Yadav Son of Haridwar Yadav Resident of Village - Belhanti, P.S.- Mofassil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Prasad Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mofassil P.S. Case No. 134 of 2018, registered under Sections 147, 341, 323, 325, 307 and 379 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Gaya.

The accusation is that in the morning of 19.04.2018, 14 persons named in the F.I.R. including the petitioners came at the house of informant, Renu Devi, and started to abuse. At that time, Kapil Yadav (petitioner no.1) caught her hair, laid down on the ground and started to caused assault through fist and slaps. In the meantime, Shambhu Yadav (petitioner no.2) snatched her



gold ear ring and carried out side the house. On raising alarm, Birendra Yadav came to save her then then Kapil Yadav (petitioner no.1), Shambhu Yadav (petitioner no.2) and Haridwar Yadav caused injury at the head of Birendra Yadav. Thereafter, her nephew, Ramashish Kumar was also assaulted by Baijnath Yadav and Mahesh Yadav through khanti causing injury at his head. At that time, Rajesh Yadav also present with revolver.

Learned counsel for the petitioners submits that only allegation has been made against petitioner no. 1 is to cause injury to the informant whereas petitioner no. 2 snatched the gold ear ring from the informant and both also caused injury to Birendra Yadav. Moreover, four injuries were found on the person of Birendra Yadav, out of which, injury nos. 1, 2 and 3 are simple in nature but injury no. 4 is grievous in nature.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without



being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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