

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16764 of 2020**

Arising Out of PS. Case No.-603 Year-2019 Thana- GOPALGANJ TOWN District-  
Gopalganj

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1. Parshuram Yadav, aged about 52 years, Male, Son of Late Bindeshwary Yadav,
  2. Byas Yadav, aged about 41 years, Male, Son of Late Bindeshwary Yadav
  3. Pramod Yadav, aged about 27 years, Male, Son of Parshuram Yadav, all are resident of Village - Tirwirwan, P.S. - Town, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vinay Ranjan, Advocate  
For the Opposite Party/s : Mr.Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      01-10-2020                      Heard the parties through the virtual court proceeding.

The petitioners are apprehending their arrest in connection with Gopalganj Town P.S. Case No.603 of 2019 registered for the offences punishable under Sections 447, 448, 341, 323, 307, 324, 302, 504, 506, 34 of the Indian Penal Code.

The prosecution case, in brief, is that on 10.11.2019 at about 8:20 p.m. his wife came at new house for complaining about hurling of abuse when any boy sit at her door and by hurling abuse she went to old house and for hurling abuse, there was hot exchange and exchange of abuse with the accused persons named in the F.I.R. including the petitioners. When the informant made protest, then Parshuram Yadv gave Lathi blow



on back side of head of his daughter due to which she sustained grievous injury and thrashing about and Byash Yadav gave Lathi blow on the head of informant due to which he also sustained grievous injury and Pramod Yadav also assaulted him and his daughter in injured condition. Accused Nirmala Devi and Kamalwati Devi also assaulted the informant and his daughter with slaps and legs. On other nearby people came and pacified the matter. Thereafter, the informant and his daughter brought to Sadar Hospital, Gopalganj and during course of treatment, his daughter Raj Kumari succumbed to injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. It is further submitted that both the parties are Pattidar and the relation was not so much cordial due to family feud, hence, prosecution side has organized a team of unsocial elements on the date of alleged occurrence, who made murderous attempt upon Ankit Kumar and his family members and assaulted his brother Pramod Yadav for which Gopalganj P.S. Case No.604 of 2019 has been lodged. It is further submitted that it is clear from the F.I.R. itself that the deceased Raj Kumari was not in picture at any where either at the time of making of complaint, returning from new house to



old house and no any altercation took place with her, rather entire abusing and hot altercation held with Maya Devi and the informant.

Learned A.P.P. has opposed the prayer for bail.

I have gone through the case record along with the case diary. There is allegation against the petitioners that they along with co-accused persons have assaulted the informant and his daughter Raj Kumari and during course of treatment, Raj Kumari succumbed to injury.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail in connection with Gopalganj Town P.S. Case No.603 of 2019 pending in the court of learned A.C.J.M., Gopalganj is hereby rejected. However, the petitioners are directed to surrender before the court below and the learned court below shall pass the order on the same day without being prejudiced by this order.

**(Anjani Kumar Sharan, J)**

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