

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4112 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- PARAIYA District- Gaya

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1. Suresh Yadav, male, aged about 50 years, Son of Ram Swarup Yadav
 2. Sunil Yadav, male, aged about 40 years, Son of Jamuna Yadav
 3. Sanju Yadav, male, aged about 30 years, Son of Ram Swarup Yadav
 4. Satendra Yadav, male, aged about 33 years, Son of Late Shiv Balak Yadav
 5. Chamru Yadav, male, aged about 32 years, Son of Rajdeo Yadav
 6. Timal Yadav @ Santosh Yadav, male, aged about 35 years, Son of Sahadeo Yadav
 7. Sadhu Yadav, male, aged about 50 years, Son of Harihar Yadav
 8. Uday Yadav, male, aged about 24 years, Son of Suresh Yadav
 9. Mukesh Yadav, male, aged about 40 years, Son of Rajdeo Yadav
- All are Resident of Village-Lodipur, P.S.-Paraiya, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastwa, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-12-2021 Heard the counsel for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Paraiya P.S. Case No. 13 of 2020, dated 12.01.2020, instituted for the offences under Sections 147, 148, 341, 323, 324, 307, 427, 379 and 353 of the Indian Penal Code.



The petitioner No. 1 is specifically said to have assaulted the brother of the informant on his head, which has caused grievous injury to him. So far as petitioner No. 2 is concerned, he is said to have assaulted the informant but that has caused only simple injury to the informant. Though the other petitioners also are said to have taken part in the assault, but there is no corresponding injury on any one of the victims. The accusation against rest of them is general and omnibus.

Apart from this, it has been stated that the identification of the petitioners at the place of occurrence also is doubtful.

Bet that as it may, regard being had to the fact that the petitioner No. 1 has caused grievous injury to the brother of the informant, I am not inclined to grant him the privilege of anticipatory bail.

The prayer for grant of anticipatory bail to petitioner No. 1/Suresh Yadav is, accordingly, rejected.

However, if he surrenders before the Court below and seeks bail, the Court below shall consider the case on its



own merits, without being prejudiced by the fact that the present anticipatory bail application on his behalf has not been entertained by this Court.

So far as petitioner Nos. 2 to 9, namely, Sunil Yadav, Sanju Yadav, Satendra Yadav, Chamru Yadav, Timal Yadav @ Santosh Yadav, Sadhu Yadav, Uday Yadav and Mukesh Yadav are concerned, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya in connection with Paraiya P.S. Case No. 13 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

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