

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6448 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- GOVINDPUR District- Nawada

1. BHUSHAN YADAV, S/O TULSI YADAV, R/O VILLAGE-JAFARA P.S.-GOVINDPUR, DISTRICT-NAWADA.
2. SURESH YADAV, S/O YUGESHWAR YADAV @ SITAN, R/O VILLAGE-JAFARA P.S.-GOVINDPUR, DISTRICT-NAWADA.
3. YUGESHWAR YADAV @ SITAN, S/O TULSI YADAV, R/O VILLAGE-JAFARA P.S.-GOVINDPUR, DISTRICT-NAWADA.
4. BHOLA YADAV, S/O YUGESHWAR YADAV @ SITAN YADAV, R/O VILLAGE-JAFARA P.S.-GOVINDPUR, DISTRICT-NAWADA.
5. SURESH YADAV, S/O KAPIL YADAV, R/O VILLAGE-SITAPUR, P.S.-ROH, DISTRICT- NAWADA ... Petitioners

Versus

THE STATE OF BIHAR ... Opposite Party

**Appearance :**

For the Petitioners : Mr. Birendra Kumar, Adv.  
For the Opposite Party : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      14-12-2021                      Heard Mr. Birendra Kumar, learned Advocate for the petitioners and Mr. Lalan Kumar, learned Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest in connection with Govindpur P.S. Case No. 101 of 2020 dated 23.05.2020 instituted for the offences under Sections 341, 342, 323, 324, 379, 308 and 34 of the Indian Penal Code.

The accusation against the petitioners is of having assaulted the son of the informant while he along with the informant was coming back home.

Learned counsel for the petitioners has submitted that



the accusation is absolutely false and perhaps motivated because of old enmity. He further submits that eight persons are said to have assaulted the son of the informant without causing any harm to the informant himself. He has further submitted that the victim has received five injuries without any specific act of assault attributed to any one of the petitioners. Hence, it could not perhaps be known as to who was the author of the grievous injury.

Out of five injuries suffered by the victim, three are reported to be grievous.

In view of the three grievous injuries on the person of the victim, I am not inclined to grant anticipatory bail to the petitioners.

The present application is thus **disposed off** with the observation that if the petitioners surrender before the Court below and seek bail, that shall be considered on its own merits without being prejudiced by the fact that the present petition has not been entertained.

**(Ashutosh Kumar, J)**

Shamshad/-

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