

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37893 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- BARH District- Patna

1. Jitendra Yadav @ Jitu @ Jitendra Kumar Son of Lakhan Yadav Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.
2. Satendra Yadav Son of Lakhan Yadav Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.
3. Gautam Kumar Son of Lakhan Yadav Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.
4. Ajay Kumar Son of Jitendra Yadav Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.
5. Sanjay Singh @ Sanjay Kumar Son of Janardan Prasad Singh Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.
6. Alok Kumar @ Bhola Kumar Son of Sanjay Singh Resident of Village- Bhatgaon, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners apprehend their arrest in connection
with Barh P.S. Case No. 59 of 2021 registered for the
offence under Sections 341, 323, 384, 307, 504 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.



The accused/petitioners are named in the F.I.R.

The allegation against the petitioners is to cause assault with deadly weapons like fire arm with intention to kill the informant and his family members.

Learned counsel appearing on behalf of the petitioners submitted that the dispute is founded over the issues related with fishing. It has further been submitted that for the same set of occurrence, case and counter case has been lodged by the parties. While arguing over the matter, it has also been submitted that the nature of allegation as regard to assault is very much omnibus.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the specific allegation of assault is against petitioner no.4 (Ajay Kumar) to fire on the brother of the informant, namely, Jyoti Kumar.

Hence, the prayer for anticipatory bail on behalf of petitioner no.4, namely, Ajay Kumar, is hereby rejected.

Considering the facts and circumstances as mentioned above, as the allegation against the petitioners, except petitioner no.4, is very much general and omnibus as regard to assault, let the petitioner nos. 1, 2, 3, 5 and 6, above named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail in connection with Barh P.S. Case No. 59 of 2021 on furnishing bail bond 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-1st, Barh, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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