

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47927 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- NIMCHAKBATHANI District- Gaya

1. Ganauri Yadav, S/O Shiv Nandan Yadav R/O Village-Chanda Chak, P.S-Neemchak Bathani, District- Gaya
2. Arun Yadav, S/O Kamendra Yadav R/O Village-Chanda Chak, P.S-Neemchak Bathani, District- Gaya
3. Bipin Yadav, S/O Shiv Jee Yadav R/O Village-Chanda Chak, P.S- Neemchak Bathani, District- Gaya
4. Dhiraj Yadav, S/O Vijay Yadav R/O Village-Chanda Chak, P.S- Neemchak Bathani, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 29-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
341, 323, 308, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that
the petitioner nos.1 and 2 have antecedent of one case and
petitioner no.3 has antecedent of three cases, but inadvertently,
the same could not be stated in the anticipatory bail application
for want of proper instruction and petitioner no.4 is a person



with clean antecedent and the informant alleges that on the alleged date and time of occurrence, all the accused persons including the petitioners came variously armed and started abusing him and assaulted his wife and his daughter and on account of which, they sustained injury on head and the informant sustained injury on his hand.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that petitioners are agnates and on account of family feud, the informant implicated the petitioners without disclosing any motive and reason for the occurrence. The learned counsel next submits that the injuries suffered by the injured are simple in nature, which amply demonstrates that the blow was not repeated, nor any intention was there to cause grievous injury to the injured.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.1, 2 and 4, above-named, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned Court below where the case is pending in connection with Neemchak Bathani P. S. Case No.09 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

So far as the petitioner no.3 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.3 because of his antecedent.

Accordingly, his prayer for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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