

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50795 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- BELHAR District- Banka

1. PANKAJ YADAV S/o Ram Yadav Resident of Village- Joripar, P.S.- Belhar, District- Banka.
2. Ramesh Yadav S/o Ram Yadav Resident of Village- Joripar, P.S.- Belhar, District- Banka.
3. Sanjay Yadav S/o Ram Yadav Resident of Village- Joripar, P.S.- Belhar, District- Banka.
4. Shailendra Yadav S/o Ram Yadav Resident of Village- Joripar, P.S.- Belhar, District- Banka.
5. Tulsi Yadav S/o Satto Yadav Resident of Village- Joripar, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vikramdeo Singh Mr.Md. Najmul Hodda
For the Opposite Party/s	:	Mr.Shyam Kumar Singh Mr.Subhash Kumar Jha Mr.Sudhir Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-12-2022 Earlier, vide order dated 04.11.2022, this application, in respect of petitioner no. 2 (Ramesh Yadav) has already been dismissed as withdrawn.

Remaining petitioners (i.e. petitioner no. 1 & 3 to 5) apprehend their arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 24.04.2022, while the



informant was in his Bathan, the F.I.R. named accused persons including these petitioners, armed with *lathi* and pistol, came there and petitioner no. 1 is alleged to have fired upon the informant, but it did not hit him. It is further alleged that petitioner no. 3 gave Farsa blow on the head of informant causing cut injury and petitioner no. 4 gave sword blow on the head of informant's wife and there is no allegation of overt act against petitioner no. 5.

Injury caused by petitioner no. 4 is grievous in nature. So far as petitioner no. 1 & 5 are concerned, they are not alleged to have caused injury and injury caused by petitioner no. 3 is simple in nature. Case and counter case and both sides sustained injury. Petitioners have got clean antecedent.

Learned A.P.P. as well as learned counsel for the informant vehemently opposed the bail petition.

Considering the fact that injury caused by petitioner no. 4 is grievous in nature and as such, his prayer for anticipatory bail is rejected.

However, considering the fact that petitioner no. 1 & 5 have not caused any injury and injury cause by petitioner no. 3 is simple in nature, let the above named petitioner no. 1, 3 and 5, in the event of their arrest/surrender within a period of six



weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Belhar P.S. Case No. 170 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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