

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4349 of 2023

Arising Out of PS. Case No.-625 Year-2022 Thana- SHERGHATI District- Gaya

1. Jai Yadav @ Jay Yadav @ Jai Yaav @ Jai Yeadav Son Of Suraj Yadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
2. Anita Kumari D/O Jai Yadav @ Jay Yadav @ Jai Yaav @ Jai Yeadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
3. Jitendra Yadav Son Of Somar Yadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
4. Surendra Yadav Son Of Sadhu Yadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
5. Sushma Devi Wife Of Surendra Yadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
6. Kanti Devi @ Kamla Devi Wife Of Jai Yadav @ Jay Yadav @ Jai Yaav @ Jai Yeadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya
7. Anita Devi @ Anita Kumari D/O Laloo Yadav, Wife Of Jitendra Yadav R/O Village- Ghoda Jara, P.S.- Sherghatty, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 323, 325, 504, 379, 354 and 308 of the Indian Penal Code.

As per FIR, all the twenty FIR named accused persons including the petitioners having lathi, danda, rod and sword attacked upon the informant and assaulted him with intention to



kill him.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the petitioner nos. 2, 5, 6 and 7 are ladies and they were even not involved in the present case. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific overt act against the petitioner nos. 3 and 4 who assaulted the informant and the injury found upon the informant is grievous in nature.

Considering the facts and circumstances of the case, let the above named petitioner nos. 1, 2, 5 to 7 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Sherghatty P.S.
Case No. 625 of 2022, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

So far as with regard to petitioner nos. 3 and 4 are
concerned, there is specific allegation against them, I am not
inclined to enlarge the petitioner nos. 3 and 4 on bail.
Accordingly, their prayer for anticipatory bail is rejected in
connection with the aforesaid case.

This application is party allowed.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

