

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8275 of 2023

Arising Out of PS. Case No.-115 Year-2022 Thana- ARER District- Madhubani

1. Bhogi Yadav S/O Late Shiv Nandan Yadav R/v- Nagavaas, P.S.- Arer, District- Madhubani.
2. Raj Mohan Yadav @ Vikram @ Vickram Yadav S/O Late Balbodh Yadav R/v- Nagavaas, P.S.- Arer, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvnendra Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case is seeking pre-arrest bail in connection with Arer P.S. Case No. 115 of 2022 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354(B), 448, 504, 506, 34 of the Indian Penal Code. They have got no criminal antecedent.

As per the prosecution story, all the accused persons including these petitioners variously armed came at the courtyard of the informant and started abusing him and on protest, at the instance of Raj Mohan Yadav (petitioner no. 2) , they assaulted the informant on his head by iron rod and with lathi/danda. When the cousin of the informant tried to save him, Bhogi Yadav (petitioner no. 1) assaulted him with bamboo. It is



also alleged that the accused person also assaulted other family members of the informant. It is further alleged that when daughter-in-law of the informant came to rescue, Poonam Yadav dragged her on the ground and assaulted her with fists and slaps.

Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is case and counter case between the parties.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein even though there is a case and counter case between the parties but this Court finds that there are specific allegations against these petitioners that they have repeatedly assaulted the informant, the doctor has found several injuries including two incised wounds on his head by sharp cutting weapon, looking to the impugned order head injuries have also been found on the other persons of the injured, in the circumstances, this Court is not inclined to grant privilege of pre-arrest bail to the petitioners.

The prayer for anticipatory bail of the petitioner is, thus, refused.



In case the petitioners surrender in the court below and pray for regular bail within a period of four weeks from today, their prayer for regular bail shall be considered on its own merit considering the entire facts and circumstances of the case.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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