

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9732 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- PARAIYA District- Gaya

1. RANJIT YADAV S/O SRI RAM DAYAL YADAV R/v- Khiri, P.S.- Paraiya, District- Gaya
2. AJIT KUMAR @ AJIT YADAV S/O SRI RAM DAYAL YADAV R/v- Khiri, P.S.- Paraiya, District- Gaya
3. RAM DAYAL YADAV S/O LATE BIDHI YADAV R/v- Khiri, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.
For the Opposite Party/s : Mr.Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons came to the informant and assaulted him and his associates with deadly weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injuries sustained by the injured persons were simple in nature except the injury of Gautam Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that petitioner no.1 assaulted the injured Gautam Kumar with an iron rod as a result of which he got injured and sustained grievous injury, hence he does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as the injuries caused by petitioner nos. 2 & 3 are simple in nature, let the petitioner nos. 2 & 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 lower Court where the case is pending/successor Court in connection with Paraiya P.S. Case No. 265 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



As the injury caused by petitioner no.1 is grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for bail of the petitioner no.1 is hereby rejected. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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