

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32670 of 2023

Arising Out of PS. Case No.-268 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Baliram Yadav Son of Late Anirudh Yadav Resident of Village Chhabaila, PS.- Sadar (Sonki O.P.), District- Darbhanga
 2. Ram Karan Yadav Son of Ram Parikshan Yadav Resident of Village Chhabaila, PS.- Sadar (Sonki O.P.), District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in a case,
registered for the offences punishable under Sections 341, 323,
324, 354, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against these petitioners is that on the
exhortation of petitioner no. 1, co-accused Arvind Yadav
assaulted the informant and others. Petitioner no. 2 is alleged to
have assaulted with iron rod on the head of informant.

4. It is submitted that there is no allegation of assault
against petitioner no. 1 he is only alleged to be order giver.
Petitioner no. 2 assaulted the informant on her head by means of



iron rod. There is case and counter case. The occurrence took place on 15.05.2022, but the FIR was lodged after delay of seven days for which there is no plausible explanation. Petitioners claim clean antecedents.

5. Counsel for State opposed the prayer for bail and submitted that there is allegation of assault against petitioner no. 2 on account of which the informant sustained multiple injuries.

6. So far as the case of Ram Karan Yadav petitioner no. 2 is concerned, there is specific allegation of assault against him as a result of which informant sustained multiple injuries, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected.

7. Considering the fact that there is no allegation of assault against Baliram Yadav petitioner no. 1, therefore, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Sonaki OP) P.S. Case No. 268 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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