

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38590 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- GOVINDPUR District- Nawada

1. PRAMOD YADAV S/O BALESHWAR YADAV R/O Village- Jethsari, P.S- Thali, Distt.- Nawada.
2. Vijay Yadav S/O Chandeshwar Yadav R/O Village- Jethsari, P.S- Thali, Distt.- Nawada.
3. Shailesh Yadav @ Saleshe Yadav S/O Chandeshwar Yadav R/O Village- Jethsari, P.S- Thali, Distt.- Nawada.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-08-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354, 307, 504 and 506 of the Indian Penal Code.

3. All the F.I.R. named accused persons including these petitioners are said to have assaulted the family members of the informant by means of lathi and iron rod as a result they sustained injury. The reason behind the occurrence is said to be that petitioner no.1 and co-accused Bablu Yadav were peeping the daughter-in-law of the informant.

4. It is submitted by learned counsel for the petitioners that no



such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that both sides are neighbours and there is some dispute going on between the parties due to flowing of drainage. The petitioners' side have also filed a case against the informant's side being Govindpur P.S. Case No.204 of 2022 i.e. earlier to the case under hand. It is further submitted that except injury sustained by the two injured rest of the injuries are simple in nature. Petitioner no.1 have two criminal antecedents, whereas petitioner nos.2 and 3 have one criminal antecedent, as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that the injuries inflicted by petitioner nos.1 and 2 are simple in nature, let the above named petitioner nos.1 and 2, 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 Court below where the case is pending/successor Court in connection with Govindpur P.S. Case No. 205 of 2022, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C.

6. Considering the facts and circumstances of case as also the fact that the injury inflicted by petitioner no.3 is grievous in nature, I am not inclined to enlarge petitioner no.3 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.3 is hereby rejected. However, petitioner no.3 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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