

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25991 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- SARSI District- Purnia

1. BIPIN YADAV @ BIPIN KUMAR S/o Hari Nandan Yadav Resident of village-Biranchya Lokai, P.S.-Barhara Kothi, Distt-Purnea
2. KUNDAN YADAV @ KUNDAN KUMAR Son of Dayananad Yadav Resident of village-Masuriya, P.S.-Sarsi, Distt-Purnea
3. ASHOK YADAV @ ASHOK KR. YADAV Son of Dayananad Yadav Resident of village-Masuriya, P.S.-Sarsi, Distt-Purnea
4. CHANDAN YADAV @ CHANDAN KUMAR Son of Dayananad Yadav Resident of village-Masuriya, P.S.-Sarsi, Distt-Purnea
5. PRAMILA DEVI W/o Birendra Yadav Resident of village-Farsai Ram Nagar, P.S.-Banmankhi, District-Purnia, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39247 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- SARSI District- Purnia

BIRENDRA KUMAR @ BIRENDRA YADAV Son of Yogendra Yadav
Resident of Village - Karsai, Ram Nagar, P.S.- Banmankhi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25991 of 2023)

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

(In CRIMINAL MISCELLANEOUS No. 39247 of 2023)

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard the parties.

As both these bail applications have cropped up from the



same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 448, 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner, namely, Birendra Kumar @ Birendra Yadav to assault the father of the informant due to which he sustained grievous injury.

Having regard to the facts and circumstances of the case



as the injury attributed towards the petitioner Birendra Kumar @ Birendra Yadav is of grievous nature, I am not inclined to enlarge the petitioner namely, Birendra Kumar @ Birendra Yadav of Cr. Misc. No.39247 of 2023 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, as there is general and omnibus allegation against the petitioner nos.1 to 5 in Cr. Misc. No.25991 of 2023, let the above named petitioner nos.1 to 5 of Cr. Misc. No.25991 of 2023, 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 Sarsi P.S. Case No.277 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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