

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45799 of 2023

Arising Out of PS. Case No.-124 Year-2021 Thana- PANDAUL District- Madhubani

Ratan Lal Yadav Son of Laxmi Narayan Yadav Resident of Village- Meghoul,
Devvath, Ps- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Heeralal Yadav Son Of Laxmi Naryan Yadav Resident Of Village- Meghoul,
Devvath, Ps- Pandaul, District- Madhubani
3. Amarkant Yadav Son Of Heera Lal Yadav Resident Of Village- Meghoul,
Devvath, Ps- Pandaul, District- Madhubani
4. Amarnath Yadav Son Of Heera Lal Yadav Resident Of Village- Meghoul,
Devvath, Ps- Pandaul, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate Mr. Udeshya Kumar Yadav, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-08-2023 Heard learned counsel for the parties.

2. This is an application against order dated 20.04.2023 passed in Cr. Misc. No. 33 of 2021 whereby and whereunder learned Sessions Judge, Madhubani rejected the petition filed by the petitioner/informant under Section 439(2) for cancellation of bail granted to opposite party Nos. 2 to 4 by learned CJM, Madhubani in connection with Pandual P. S. Case No. 124 of 2021 under Sections 341, 308, 504/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on the alleged date and time, the informant was feeding grass to she-buffalo and in



the meantime, opposite party Nos. 2 to 4 arrived there and started abusing him. On protest by the informant, opposite party No. 2 assaulted with *tengari* on the head of the informant and opposite party Nos. 3 and 4 assaulted him with *lathi*, *danda*, fists and slaps.

4. It is submitted on behalf of the petitioner/informant that learned court below has granted bail to opposite party Nos. 2 to 4 without considering the injury report.

5. Learned A.P.P. for the State opposes this application and submits that from bare perusal of the F.I.R. it is apparent that the injuries allegedly caused by opposite party Nos. 2 to 4 are found to be simple in nature and learned Sessions Judge, Madhubani has refused the application filed for cancellation of bail of the opposite party Nos. 2 to 4 after going through the entire facts and circumstances as also, the injury report which shows that the injuries caused to the petitioner/informant are simple in nature.

6. Considering the rival submissions of the parties which is available on record, this Court does not find any merit in this case. There is no illegality or infirmity in the aforesaid impugned order and the court below has rightly granted bail to opposite party Nos. 2 to 4 in the facts and circumstances of the case.



7. This case is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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