

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52696 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- SIMRI District- Darbhanga

1. Raghuwans Kumar Yadav @ Raghuwans Yadav Son Of Mahindra Yadav R/O-Balha Sabaul, P.S.-SIMRI, Distt.-DARBHANGA, Bihar
2. Kailash Yadav Son of Late Budhu Yadav R/O-Balha Sabaul, P.S.-SIMRI, Distt.-DARBHANGA, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Simri P.S. Case no.212 of 2022, registered under sections 308, 379, 341, 342, 323, 324, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the four named accused persons including the two petitioners herein are said to have come variously armed. The petitioner no.1 is said to have assaulted the informant with a *farsa* on his head while the petitioner no.2 assaulted him with an iron rod.

4. Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in the case. There is case and counter case between the parties, the correct version having been given in the counter case lodged by the informant. There are injuries on both the sides. The injuries have been found to be simple in nature. There is no motive for the alleged occurrence.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the material on record, there being direct allegation against the two petitioners of having assaulted with the *farsa* on the head of the informant as also indiscriminate assault with an iron rod on the informant, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the Court below within a period of four weeks.

(Partha Sarthy, J)

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