

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49757 of 2022**

Arising Out of PS. Case No.-452 Year-2020 Thana- BARHARA District- Bhojpur

RAHUL KUMAR YADAV S/o Ram Sagar Yadav R/o village- Khakhanke  
Tola, P.S.- Khwaspur (Barhara), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raju Kumar Singh  
For the Opposite Party/s : Mr.Anant Kumar I

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      07-04-2023                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barhara Police Station Case No. 452 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code.

Prosecution story in brief is that 25 persons armed with deadly weapons including the present petitioner assaulted Ramji Yadav and Ritesh Yadav. Specif allegation against the petitioner is that he had assaulted Ramji Yadav.

Learned counsel appearing on behalf of the petitioner submits that there is general and omnibus allegation which has been levelled against the petitioner, however, the petitioner has been named and allegation against him is that he has assaulted



Ramji Yadav on his head with iron rod. The injury sustained is simple in nature. Learned counsel for the petitioner further submits that there is case and counter case between the parties in which the petitioner's side has also sustained grievous injury and had lodged Barhara P.S. Case No. 451 of 2021. The parties have not entered in compromise.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that in paragraph No.106 of the supplementary case diary, it appears that the injury sustained by Ramji Yadav is simple in nature.

Considering the nature of allegation made in the F.I.R. that both the parties had indulged in quarrel, which led to ugly incidence in which both the sides has sustained injury. There is case and counter case and petitioner's side had lodged FIR being Barhara P.S. Case No. 451 of 2021. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Barhara Police Station Case No. 452 of 2020, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force.

**(Purnendu Singh, J)**

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