

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54018 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- DARAUNDA District- Siwan

1. JAWAHAR YADAV S/o Mahesh Yadav R/o village- Manchha, P.S.- Daraunda, District- Siwan
2. DEEPAK YADAV S/o Hiralal Yadav R/o village- Manchha, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioners and learned APP for the State through video conferencing in view of the COVID 19.

The petitioners apprehend their arrest in connection with Daraunda P.S. Case No. 20 of 2022 for the offence registered under Sections 341, 323, 307, 379, 435, 337, 338, 504 and 34 of the Indian Penal Code.

As per the prosecution story, when the informant was sitting at his door with family members, the accused persons including the two petitioners herein came and further allegation is that accused, Motilal Yadav assaulted on the head of the informant by means of sword causing injury and further when



his sons came to rescue, accused, Lalu Yadav also assaulted on the head of the informant. While allegation against Hira Lal Yadav is of assaulting of the son of the informant by means of iron rod. Further, omnibus allegation is of assaulting the informant's side. The last allegation is of snatching the gold chain worth Rs. 30,000/-. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that it is a matter of case and counter case. The two petitioners do not have any criminal antecedent and the main allegation is against Lalu Yadav, Motilal Yadav and Hira Lal Yadav and only omnibus allegation against other accused persons. It is his further submission that they will be cooperating in the investigation and will diligently appear in trial.

Learned APP for the State opposes the prayer for anticipatory bail.

Considering the fact that specific allegation is against Hira Lal Yadav, Motilal Yadav and Lalu Yadav of causing injury to the informant and his son, omnibus allegation is against them, do not have any criminal antecedent and ultimately they will be facing the trial, this Court is inclined to grant them relief.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 20 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

U		T	
---	--	---	--

