

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80225 of 2023

Arising Out of PS. Case No.-320 Year-2023 Thana- ATRI District- Gaya

1. AKHILESH YADAV @ AKLESH YADAV S/O RAJAN YADAV @ RAJNANDAN YADAV R/O VILLAGE- TETUA, BIRARPAR, PS. ATRI, DIST. GAYA
2. SINDHU YADAV @ SIDHU YADAV S/O LATE MUNSHI YADAV R/O VILLAGE- TETUA, BIRARPAR, PS. ATRI, DIST. GAYA
3. DHARMENDRA KUMAR @ GIRDHAR KUMAR @ GIRADHRA KUMAR S/O LALA YADAV @ LALA PRASAD YADAV R/O VILLAGE- TETUA, BIRARPAR, PS. ATRI, DIST. GAYA
4. PRAMOD YADAV @ PRAMOD KUMAR S/O KULDEV YADAV R/O VILLAGE- TETUA, BIRARPAR, PS. ATRI, DIST. GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Singh
For the Opposite Party/s :	Mr. Rajendra Singh
	Mr. Arvind Kumar Pradhan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 379, 354, 504 and 506 of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioners and other co-accused persons entered into the house of informant and brutally assaulted the informant and her family members due to which they sustained injuries.



4. 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 no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner nos.2 and 3 to assault the injured persons due to which they sustained grievous injuries.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner nos.2 and 3 on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. However, as the injuries attributed towards the petitioner nos.1 and 4 are simple in nature, let the above named petitioner nos.1 and 4, 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 Atri P.S. Case No.320 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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