

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8820 of 2024**

Arising Out of PS. Case No.-93 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Sidhu Yadav @ Sudhu Kumar Son of Rambriksh Yadav Resident of Village- Bandi, P.S. Nimchak Bathani, District- Gaya
2. Pramod Yadav @ Pramod Kumar Son of Mahendra Yadav Resident of Village- Bandi, P.S. Nimchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

- 2      20-02-2024      1. Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.
2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Neemchak Bathani P.S. Case No. 93 of 2023, registered for the offences punishable under Sections 147, 148, 149, 323, 341, 504, 506, 379, 307 of the Indian Penal Code.
3. The allegation against above named petitioners is to assault informant and other by using iron rod etc., causing head and bodily injuries having intention to cause their death, where occurrence alleged to be arises out of local disputes.



4. Learned counsel appearing on behalf of the petitioners submitted that the face of FIR suggests that informant was not assaulted by petitioner rather by co-accused, namely, Arun Yadav by using iron rod. It is further submitted that both injured received single injury of simple nature, which is sufficient to suggest that petitioners were not under intention to cause their death. While concluding the argument, it is submitted that petitioner no.1 found involved in three more criminal cases of petty nature, where he is on bail, whereas petitioner no. 2 also found involved in one more criminal case, where he is also on bail.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances, as allegation of assault, causing head injuries is not available against petitioners, rather same is available against co-accused Arun Yadav @ Runi Yadav, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Gaya/concerned Court, where the



case is pending in connection with Neemchak Bathani P.S. Case  
No. 93 of 2023, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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