

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8112 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- GHOSI District- Jehanabad

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1. Ajay Kumar @ Ajay Yadav S/O- Kapildeo Yadav R/O- Village- Alalpur, P.S.- Ghoshi, Dist.- Jehanabad
 2. Kapildeo Yadav @ Kapil Yadav S/O- Late Sukaran Yadav R/O- Village- Alalpur, P.S.- Ghoshi, Dist.- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Ghoshi P.S. Case No. 413 of 2023 dated 22.06.2023 registered for the offences punishable u/ss 147, 341, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have assaulted the informant with lathi, danda and iron rod. Thereafter, the co-accused, Dhananjay Kumar hit the informant's wife, Savita Devi by pelting stone due to which his wife got injured. On being objected by the informant then the co-accused, Dhananjay



Kumar tore the cloth of the informant's wife. The petitioner and the co-accused, Jayram Yadav assaulted the informant on his head with sharp weapon and iron rod due to which he sustained head injury and became unconscious. The accused persons entered the house of the informant and took Rs. 25,000/- and jewellery. Thereafter, the informant was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter case between the parties. As per the injury report of the informant, the injury is simple in nature caused by hard and blunt substance. Learned counsel has further submitted that the petitioner's side also sustained injuries. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Jehanabad in connection with Ghoshi P.S. Case No. 413 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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