

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11980 of 2024

Arising Out of PS. Case No.-249 Year-2022 Thana- SIKANDRA District- Jamui

1. Pramod Yadav @ Pramod Kumar son of Radhe Yadav @ Radhey Yadav R/o- Sundarbad Ps- Sikandra Dist- jamui
2. Sunil Yadav @ Sunil Kumar son of Radhe Yadav @ Radhey Yadav R/o- Sundarbad Ps- Sikandra Dist- jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-04-2024 Heard learned Counsel for the petitioners, learned
APP for the State and counsel for the informant.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Sikandra P.S. Case No.249 of 2022 under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354A, 354B, 504 and 506 of the Indian Penal Code. Later on section 302 of the I.P.C. has been added.

3. As per the prosecution, the FIR has been lodged against 16 named accused persons with allegation that the petitioner No.1 has assaulted Prahlad Yadav along with Sidheshwar Yadav and the allegation against the petitioner No.2



is that he has assaulted to Santu Yadav along with accused Sanjeev Kumar.

4. Counsel also submits that antecedent of the petitioners are clean. He submits that genesis of the dispute is extremely petty matter and they are not criminal and at the spur of the moment, the dispute took place which resulted into scuffling.

5. Counsel further submits that the co-accused Lila Devi has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 05.12.2023 passed in Cr. Misc. No.76339 of 2023.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation of injury against both the petitioners. He submits that case diary has been called for and in the case diary, injury report of Pramod Yadav and Santu Yadav are present in paragraphs 61 and 62 of the case diary respectively and both injuries are on the head.

7. Learned APP for the State opposes the prayer for bail and submits that regular bail of the one accused Sanjeev Kumar has been rejected by the Co-ordinate Bench of this Court in Cr. Misc. No.24580 of 2023.



8. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Therefore, the bail application of the petitioners is hereby refused.

9. However, the petitioners are directed to surrender within 6 weeks from today. It is directed that the trial court, at the time of considering regular bail of the petitioners, shall not prejudice from the order passed by this Court.

(Dr. Anshuman, J.)

Prakashmani/-

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