

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20754 of 2024

Arising Out of PS. Case No.-169 Year-2020 Thana- JAYNAGAR District- Madhubani

Dinesh Yadav, S/o Lakshmi Yadav, R/o vill - Pipratol Jaynagar, P.S. -
Jaynagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ashad, Advocate

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-06-2024 Heard Mr. Md. Ashad, learned counsel appearing on
behalf of the petitioner and the learned Additional Public
Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Jaynagar P.S. Case No. 169 of 2020, registered for the
offences punishable under Sections 147, 148, 149, 323, 341,
448, 354(B), 379, 427, 324, 307, 436, 504, 506 of the Indian
Penal Code Section 27 of the Arms Act.

3. It is alleged that on account of a long standing
dispute between the informant and his co-villagers namely
Mishri Lal Yadav and Kamlesh Yadav, a Panchayati was held.
However, the accused persons did not stand on the verdict of
Panchayati and in retaliation, they barged into the house of the
informant and started abusing and assaulting. It is further



alleged that all accused persons armed with various weapon assaulted the informant and his family members, due to which they have sustained serious injury. It is also alleged that the petitioner assaulted the family members of the informant by means of iron rod.

4. Learned counsel appearing on behalf of the petitioner contended that from the narratives made in the FIR omnibus allegation has been leveled against twenty accused persons that they have assaulted the informant and his family members. It is further contended that the present case is nothing but a counterblast to Jaynagar P.S. Case No. 160 of 2020 instituted by brother of the petitioner against the informant and his family members. The allegation of firing is leveled against co-accused Misri Lal Yadav and Kamlesh Yadav. So far the petitioner is concerned, though there is allegation of causing assault by means of iron rod but there is no corroborating injury; the co-accused persons have been allowed bail by learned Co-ordinate Bench as well as this Court. The petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation has been leveled against the petitioner.



6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation coupled with the fact that the persons having identical allegation have been allowed the privilege of anticipatory bail, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge IIIrd Madhubani in connection with Jaynagar P.S. Case No. 169 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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