

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21077 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- LAUKAHI District- Madhubani

1. Shashi Ranjan @ Shashi Ranjan Yadav Son Of Phuldev Yadav
 2. Amrendra Yadav @ Amrendra Kumar Yadav @ Chapri Son Of Jageshwar Yadav
 3. Pundu Kumar @ Puntu Kumar @ Chuni Lal Son Of Upendra Yadav
 4. Om Prakash Yadav Son Of Shiv Narayan Yadav.
- All are R/O-Sananpatti, P.S.-LAUKAHI (NARHAIYA O.P.), Distt.-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Udeshya Kr. Yadav, Advocate
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Gagandeo Yadav, learned counsel for the petitioners and Mr. Raj Ballabh Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Laukahi (Narhaiya O.P.) Case No.265 of 2023, FIR dated 05.10.2023, registered for the offences punishable under Sections 341,342,323,324,307,384,504,506/34 of the Indian Penal Code.

3. As per FIR, petitioner Antendra Yadav, Sashi Ranjan Yadav assaulted with iron rod to the informant. It is further alleged that petitioner Amrendra Yadav assaulted to him



on his head and petitioner Sashi Ranjan assaulted on his nose and co-accused Shiv Narayan Yadav assaulted with iron rod on his eye which was heat on the left eye of the informant and petitioner On Prakash Yadav, surrounded towel in the neck of Birendra Prasad Sah and dragged the same and petitioner Sashi Ranjan assaulted with iron rod on the head of Birendra Prasad Sah and petitioner Pundu @ Chuni Lal assaulted with iron rod continuously to Birendra Prasad Sahu.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that there is case and counter case and it appears from the FIR that the petitioners have assaulted to the informant and his family members and although there is allegation against the petitioners that they have assaulted to the informant and his family members but from a bare perusal of the FIR it appears that there is specific allegation of assault is against co-accused, namely, Shiv Narayan Yadav who has assaulted with iron rod on the eye of the informant and he has received the injury which is grievous in nature and in fact the petitioner's side also received the injury in the present occurrence.

5. Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and the grievous injury inflicted upon the informant side due to action of the co-accused Shiv Narayan Yadav, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Jhunjharpur, Madhubani in connection with Laukahi (Narhaiya O.P.) Case No.265 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

