

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30416 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- BODHGAYA District- Gaya

1. Mahendra Yadav Son of Buttu Yadav Resident of Village- Verma (Varma), Police Station- Cherki, District- Gaya
2. Manis Kumar Son of Mahendra Yadav Resident of Village- Verma (Varma), Police Station- Cherki, District- Gaya
3. Nitish Kumar Son of Mahendra Yadav Resident of Village- Verma (Varma), Police Station- Cherki, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw the bail petition of petitioner no. 1
namely Mahendra Yadav.

3. Permission is accorded.

4. Accordingly, the bail petition of petitioner no. 1 is
dismissed as withdrawn.

5. The petitioner nos. 2 and 3 apprehend their arrest in
connection with Bodh Gaya P.S. Case No. 20 of 2024 instituted
under Sections 341, 323, 307, 504, 506/34 of the Indian Penal



Code.

6. As per the prosecution case, informant Upendra Kumar, gave his fardbeyan in ANMMCH, Gaya alleged that on 02.01.2024 when his daughter Priya Kumari was returning from school then the accused persons came at his house and they abused and brutally assaulted the informant and other family members by talwar and sabbal with a view to kill them.

7. Learned counsel for the petitioner nos. 2 and 3 submits that petitioners concerned have falsely been implicated in this case due to dispute between the children. He submits that the altercation took place between the parties due to which there is case and counter case between the parties. Both the parties are co-villagers. He further submits that injury on informant is simple in nature, however, the injury on Ravindra Yadav is right arm fracture which is grievous in nature and the allegation of causing the assault on him is on accused Mahendra Yadav and petitioner no. 2. Learned counsel further submits that petitioner no. 2 has one criminal antecedent and petitioner no. 3 has no criminal antecedent. Petitioner nos. 2 and 3 undertake to cooperate in the investigation and also undertake not to indulge in such incident.

8. Learned A.P.P. for the State as well as learned



counsel for the informant oppose the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner nos. 2 and 3 be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 20 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

tusharika/-

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

