

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26085 of 2024

Arising Out of PS. Case No.-511 Year-2023 Thana- ATRI District- Gaya

1. Rahul Kumar @ Villa Yadav son of Satyanand Yadav Vill- Tetua Birar Per,Ps- Atri, Dist- Gaya
2. Satyanand Yadav son of Late Ramchandar Yadav @ Late Ramchandra Yadav Village- Tetua Birar Per Ps- Atri Dist- Gaya
3. Mohi Yadav son of Late Ramdeo Yadav Village- Tetua Birar Per Ps- Atri Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Priya Ranjan, Advocate
	:	Mr.Mukesh Kumar, Advocate
For the Opposite Party/s :		Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 24-06-2024 Heard learned counsel for the petitioners, learned APP
for the State and perused the case diary.

2. The petitioners seek bail in connection with Atri P.S.
case No. 511 of 2023 instituted for the offences under Sections
341, 323, 307, 504, 506, 325, 379/34 of the Indian Penal Code.

3. Prosecution story, in short, is that all the accused
persons including these petitioners, variously armed, assaulted
the informant and her family members due to which they
sustained injuries.

4. Learned counsel for the petitioners submitted that
petitioners have falsely been implicated in the present case.



Learned counsel for the petitioners submitted that the only allegation against petitioner no.1 is of catching the informant by hair and assaulting her by legs and fists. The only allegation against petitioner no.2 is that, he, along with other co-accused persons pelted stones upon the informant and her family members. Learned counsel further submitted that the allegation against petitioner no.3 is that he assaulted Sankar Yadav (*Bhaisur* of the informant) with *lathi* on his head. Learned counsel further submitted that although there is specific allegation against petitioner no.3 of assaulting Sankar Yadav with *lathi*, but there is no injury report on record to support the prosecution case. Learned counsel further submitted that there is case and counter-case between the parties and both sides sustained injuries. Learned counsel further submitted that charge-sheet has also been submitted in this case. The co-accused person has already been granted bail by this Bench vide order dated 22.04.2024 passed in Cr. Misc. No. 29729 of 2024. It has been submitted on behalf of the petitioners that the petitioners are in custody since 16.11.2023. Petitioner no. 1 has four criminal antecedents, petitioner nos.2 and 3 have two criminal antecedents each.

5. Learned A.P.P. for the State has vehemently opposed



the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. case No. 511 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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