

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31320 of 2024

Arising Out of PS. Case No.-630 Year-2021 Thana- SAUR BAZAR District- Saharsa

1. Ashok Yadav @ Ashok Kumar Yadav Son of Late Dindayal Yadav Resident of Village - Chandaur East Ward No. 1, P.S. - Saur Bazar, District - Saharsa
2. Arun Yadav @ Arun Kumar Son of Late Dindayal Yadav Resident of Village - Chandaur East Ward No. 1, P.S. - Saur Bazar, District - Saharsa
3. Rekha Devi Wife of Brahmdev Yadav Resident of Village - Chandaur East Ward No. 1, P.S. - Saur Bazar, District - Saharsa
4. Dilo Devi Wife of Ashok Yadav @ Ashok Kumar Yadav Resident of Village - Chandaur East Ward No. 1, P.S. - Saur Bazar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307, 379, 354, 324, 504, 506, 34 of the Indian Penal Code.

3. As per F.I.R., all the accused persons including these petitioners are alleged to have assaulted informant and his two sons with lathi, iron rod and butt of pistol.

4. Learned counsel for the petitioners submits that as per F.I.R., petitioner no. 1 is alleged to have assaulted on the head of informant by lathi, however; doctor has found simple



injury. Petitioner no. 2 is said to have assaulted by lathi on several parts of body of informant and out of them, one injury is found to be grievous in nature. So far as petitioner no. 3 & 4 are concerned, there is no allegation of overt act against them. Though, petitioner no. 1, 3 & 4 have got clean antecedent, but petitioner no. 2 is accused in one more case, in which, he is on bail.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the fact that one injury sustained by informant is grievous in nature, caused by petitioner no. 2 (Arun Yadav), his (**petitioner no.2**) prayer for anticipatory bail is rejected.

7. Considering the fact that injury caused by petitioner no. 1 is simple in nature, there is no allegation of overt act against petitioner no. 3 & 4 and clean antecedent, in the event of their arrest/surrender within a period of six weeks from today, let the **petitioner nos. 1, 3 & 4**, as named above, be enlarged 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 learned Judicial Magistrate 1st Class, Saharsa in connection with Sour Bazar P.S. Case No. 630 of 2021, subject to condition



as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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