

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29589 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

1. Bajrang Yadav Son of Suryanath Yadav Resident of Village- Chotaki Basauli, Police Station- Buxar (Ind.), Dist.- Buxar
2. Hareram Yadav Son of Suryanath Yadav Resident of Village- Chotaki Basauli, Police Station- Buxar (Ind.), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Buxar (Industrial Area) P.S. Case No. 327 of 2023 registered on 13.12.2023 for the offences under Sections 341, 506, 323, 307 & 379 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and co-accused persons brutally assaulted the informant and his family members when they raised alarm about theft article being taken out by the petitioners and co-accused persons. A number of persons of informant side received injuries.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have



been falsely implicated in this case. For the same occurrence there is counter version as mother of the petitioners has lodged Buxar (Ind. Area) P.S. Case No. 332 of 2023 against the informant and others as in the said occurrence a number of persons from the petitioners side have received injuries. Learned counsel further submits that the injury report do not corroborate with the allegations made against the petitioners, which is also against other co-accused persons. Though two injuries on the scalp of the nephew of the informant are observed, but apart from one injury in the index finger all these injuries are simple in nature. The injury report of Bhimshankar Singh Yadav shows only abrasion in right cheek which falsifies the allegation against the petitioner Hareram Yadav. Learned counsel further submits that though the petitioners are having criminal antecedents of three cases, one of the cases has been lodged by informant side and other two cases by agnates of the petitioners on account of some land dispute.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that the injuries on Shiv Shankar Singh Yadav could have been dangerous to life.

6. Having regard to the fact and circumstances and



submission made on behalf of the parties and considering the counter version of the petitioners and also considering previous enmity and possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Buxar (Industrial Area) P.S. Case No. 327 of 2023, subject to the condition laid down under Section 438(2) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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