

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37631 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- KARPI District- Jehanabad

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1. Bhushan Yadav Son of Shobhan Yadav Resident of Village- Jagmohanbigha, P.S- Karpi, (Sahar Telpa), Dist- Arwal
 2. Anil Yadav Son of Late Chandradeep Yadav Resident of Village- Jagmohanbigha, P.S- Karpi, (Sahar Telpa), Dist- Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Soni Kumari

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2024 1. 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 offences punishable under Sections 448, 379, 341, 323, 307, 337, 338 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of one case and the informant alleges that accused persons including the petitioners on 08.03.2023 at 02:00 AM entered the house of the informant and started committing theft and snatched golden chain from her neck, on alarm accused assaulted her and Bhushan (petitioner no. 1) assaulted by rod causing injury on head, further when her brother-in-law, Sanjay, came to save her, accused Roshan, Gulshan and Anil assaulted him by rod causing injury on head,



thereafter nine other named accused pelted stones at her door.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case on account of dispute relating to land. It is also submitted that from side of the petitioners, Karpi P.S. Case No. 79 of 2023 was instituted by father of petitioner no. 1 against the husband and son of the informant along with other named accused with an allegation that they assaulted him and snatched gold chain of his grandson Gulshan and pelted stone. It is further submitted that brother-in-law of the informant suffered injury on head, but then allegation of assaulting him is against three named accused persons including petitioner no. 2. It is also submitted that the injury suffered by the injured has not been opined but then the blow was not repeated, as such, it appears that the injury suffered by the informant and her brother-in-law, Sanjay, was simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Karpi P.S. Case No. 78 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial Court before accepting the bail bonds of the petitioners shall verify the injury of the injured and in the event if it is found that informant has received grievous injury in that event the bail bonds of Bhushan Yadav shall not be accepted, further if injury report of Sanjay (brother-in-law of the informant) is opined to be grievous in that event the anticipatory bail bonds of Anil Yadav shall also not be accepted, but if the injury suffered by the injured is simple in nature, in that event their anticipatory bail bonds shall be accepted forthwith.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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