

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33696 of 2024

Arising Out of PS. Case No.-179 Year-2021 Thana- SIKANDRA District- Jamui

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1. Ashok Yadav SON OF SITARAM YADAV village- Jagdishpur, P.S.- Sikandra, District Jamui
 2. JIVAN YADAV SON OF ASHOK YADAV VILLAGE- JAGDISHPUR, P.S.- SIKANDARA, DIST- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 25-09-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sikandra Police Station Case No. 179 of 2021, dated 05.07.2021, disclosing offences punishable under Sections 341/323/504/506/307/379/354-B/427/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that in the night of 04.07.2021, when the informant was going to tie his cow, the petitioner no. 1 started fighting with him and passed abusive language and when the informant protested, the petitioner no. 1 uprooted the pole



which was used by the informant for tying his cow. It has further been alleged that all the accused persons, various armed with lathi, danda, tangi etc. assaulted the informant on his head and the petitioner no. 1 assaulted the informant on his head, hand and leg by means of tangi and when the wife of the informant intervened, the petitioner no. 2 snatched golden ornament of the informant's wife.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case with regard to the dispute of wages. He further submits that there is no allegation of assault against the petitioner no. 2 and so far as the injuries attributable to the petitioner no. 1 is concerned, the same has been found to be simple in nature, which would be evident from the impugned order itself.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, there is no specific allegation of assault against the petitioner no. 2 and the injuries sustained by the informant are simple in nature, I am inclined to grant the petitioners privilege of



anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, 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 learned Judicial Magistrate, 1st Class, Jamui, in connection with Sikandra Police Station Case No. 179 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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