

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35681 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

1. Sugriv Yadav, S/o Rajendra Yadav R/o vill - Churamanpur, P.s - Buxar (Ind), Distt. - Buxar
2. Sonu Yadav, S/o Rajendra Yadav R/o vill - Churamanpur, P.s - Buxar (Ind), Distt. - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pintu Yadav, S/o Late Ramashankar Yadav R/o vill - Churamanpur, P.S. - Buxar (Ind), Distt. - Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-07-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 379, 307 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases and petitioner no.2 has antecedent of one case and the informant alleges that since he refused to give sand and stone chips on credit, as such, the accused persons including the petitioners came variously



armed and assaulted him causing injury on head and when his brother came to save him, he was also assaulted by Sugriv Yadav on head by an iron rod causing injury.

4. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that he was assaulted by Sugriv and two others leading to injury on head, but then, the allegation of assault is not specific. It is next submitted that though allegation of assaulting the brother of the informant is against petitioner no.1 i.e. Surgriv, but then, the injury suffered by the brother of the informant is simple in nature, which amply demonstrates that petitioner no.1 never had intention of committing a serious occurrence. It is also submitted that from the side of the petitioners, Buxar (Industrial) P. S. Case No.331 of 2023 has been instituted against the side of the informant and others. It is further submitted that petitioner no.2 was assaulted brutally by the side of the informant on account of which, he suffered five injuries. It is also submitted that petitioner no.1 has been implicated in the instant case only to coerce his family members into submission as informant is aware that petitioner no.1 is suffering from kidney disease and is on dialysis.

5. Learned A.P.P. opposes the anticipatory bail



application.

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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (Ind) P. S. Case No.330 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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