

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34317 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- AMARPUR District- Banka

1. Tuhi Yadav Son of Late Babulal Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
2. Jharni Devi @ Jharni Devvi Wife of Tuhi Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
3. Fulkumari Devi @ Bucho Devi Wife of Liladhar Yadav @ Lildhar Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
4. Sunita Devi Wife of Diwakar Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
5. Samar Yadav @ Somar Yadav Son of Late Babulal Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
6. Liladhar Yadav @ Lildhar Yadav Son of Jhaban Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.
7. Fekan Yadav Son of Late Babulal Yadav R/O Vill.- Manjhali Kushaha, P.S.- Fullidumar, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s :	Mr. Ajit Kumar, APP
	Mr. Dhananjay Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 08-08-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 308, 323, 325, 341, 354, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 29.01.2024, all the accused persons including these petitioners



were abusing informant Shanti Devi and when informant protested, they assaulted her by *Lathi* and *Danda* causing injury on her head. It is further alleged that co-accused Pankaj Yadav committed theft of silver chain of informant. When informant's daughter came to save her mother (informant), she too was assaulted by the accused persons.

4. Learned counsel for the petitioners submits that both parties are *agnates* and due to dispute over cutting tree of *Palash*, a simple *maarpeet* took place between the parties. Allegation of assault is general and omnibus. Rest of the allegations are ornamental. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of petitioners and submitted that there is specific allegation of assault against these petitioners due to which the informant sustained grievous injury.

6. Considering the fact that allegation of assault is general & omnibus and petitioners have got clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, 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 Chief Judicial Magistrate, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 70 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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