

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40001 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Dhananjay Yadav @ Dhananjay Singh SON OF RAM KUMAR @ RAM KUMAR YADAV VILLAGE- SEVHAR, PS- UDAWANTNAGAR, DIST- BHOJPUR
2. RAM KUMAR @ RAM KUMAR YADAV SON OF LATE RAMKISHUN SINGH VILLAGE- SEVHAR, PS- UDAWANTNAGAR, DIST- BHOJPUR
3. SANDEEP KUMAR SON OF DHANANJAY YADAV @ DHANANJAY SINGH VILLAGE- SEVHAR, PS- UDAWANTNAGAR, DIST- BHOJPUR
4. RINKU DEVI WIFE OF DHANANJAY YADAV @ DHANANJAY SINGH VILLAGE- SEVHAR, PS- UDAWANTNAGAR, DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-07-2024

Heard Ms. Priya, learned counsel for the petitioners

and the State.

2. The petitioners are apprehending their arrest in connection with Udawantnagar P.S. Case No. 27 of 2024 for the offence punishable under sections 341, 323, 307, 379, 504, 506, 34 of the I.P.C. lodged on 18.01.2024 by the informant, Babita Devi.

3. As per the prosecution story, the informant alleged that the accused persons armed variously came and started abusing. Upon objection, allegation is that Dilip Kumar gave iron rod blow on the head of the informant's husband causing serious injury. Against other accuses persons, there is allegation of assault as also taking away the ornaments. Accordingly, the FIR.



4. Learned counsel for the petitioners submit that a perusal of the FIR would show that allegation of assault is on Dilip Kumar. So far as these petitioners are concerned which include a lady, omnibus allegation is there, they do not have criminal antecedent and are ready to co-operate in the investigation/face the trial.

5. Learned APP opposes the prayer submitting that omnibus allegation of assault is there.

6. Taking into account the aforesaid submissions put forward by the parties as also the fact that the main allegation is against Dilip Kumar, the petitioners do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udawantnagar P.S. Case No. 27 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. Before parting, this Court would like to put on record its word of appreciation for Ms. Priya, learned counsel for the petitioners for the proper assistance rendered in the matter.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

