

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39497 of 2024**

Arising Out of PS. Case No.-692 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Sudho Yadav @ Sudhir Yadav Son of Ram Balak Yadav Resident of Village - Pahari Gachhi, P.S.- Muffasil, District- Begusarai.
 2. Shivjee Yadav Son of Ram Balak Yadav @ Balak Yadav Resident of Village - Pahari Gachhi, P.S.- Muffasil, District- Begusarai.
 3. Sunil Kumar @ Sunil Yadav Son of Ram Balak Yadav Resident of Village - Pahari Gachhi, P.S.- Muffasil, District- Begusarai.
 4. Dharamvir Yadav Son of Ram Yadav Resident of Village - Pahari Gachhi, P.S.- Muffasil, District- Begusarai.
 5. Shyam Kumar Son of Shivjee Yadav Resident of Village - Pahari Gachhi, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioners
and learned Additional Public Prosecutor for the
State.

2. Learned counsel for the petitioner is
directed to take necessary steps regarding



correction in P.S. Case Number in para no. 3 of the main bail petition, during the course of day, itself.

3.The accused/petitioners are named in the FIR and apprehending their arrest in connection with Muffasil P.S. Case No. 692 of 2023 for the offences punishable under Sections 341, 323, 307, 506 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

4. Allegation against the petitioners is to assault the informant along with other co-accused persons after house trespass causing head and bodily injuries, having intention to cause his death.

5. It is submitted by learned counsel for the petitioners that just one day before lodging the present case, an occurrence of physical assault took place between the parties for which a case and counter case, being Muffasil P.S. Case No. 688 of 2023 and 689 of 2023 were lodged by the parties. Subsequent to these two cases, on next very day, the present case was lodged by the informant on vague ground, having very much general and omnibus allegation regarding physical



assault. It is pointed out that the case, which was registered just before present occurrence, the parties were released after giving benefit of Section 41 of the Code of Criminal Procedure. Learned counsel further pointed out that the nature of injuries are yet to be ascertained and merely on the basis of the fact as injury was caused upon the vital part of the body i.e., head, the present case was lodged under Section 307 of Indian Penal Code. It is submitted that the petitioner no. 1, 2 and 4 found involved in one more case with the same informant, where as petitioner no. 3 & 5 are men of clean antecedent.

6. Learned APP opposes the prayer of anticipatory bail.

7. In view of above-mentioned facts and circumstances and by taking note of fact that allegation *qua* physical assault is very much general and omnibus against this petitioners, accordingly, all above named petitioners, are directed to be released on bail in the event of their arrest or surrender within a period of four weeks



from today, on furnishing bail bond 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, Begusarai in
connection with Muffasil P.S. Case No.692/2023
subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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