

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39775 of 2024

Arising Out of PS. Case No.-1195 Year-2023 Thana- SHERGHATI District- Gaya

1. Bhagirath Yadav @ Bhagirith Yadav S/O BIDESHI YADAV VILLAGE-
MANJHAR KHURD, MOTARGANJ, P.S.- SHERGHATI, DIST- Gaya
2. ARBIND YADAV S/O BHAGIRATH YADAV R/O VILLAGE- MANJHAR
KHURD, MOTARGANJ, P.S.- SHERGHATI, DIST- GAYA
3. DILEEP YADAV @ DILEEP KUMAR S/O UDAY YADAV R/O
VILLAGE- MANJHAR KHURD, MOTARGANJ, P.S.- SHERGHATI,
DIST- GAYA
4. UDAY YADAV S/O BHAGIRATH YADAV @ BHAGIRITH YADAV R/O
VILLAGE- MANJHAR KHURD, MOTARGANJ, P.S.- SHERGHATI,
DIST- GAYA

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners and learned APP for
the State.

2. The petitioners apprehend their arrest in a case registered for
the offences punishable under Sections 341, 323, 325, 354 &
379/34 of the Indian Penal Code.

3. The son of the informant is said to have been assaulted by
the petitioners causing fracture injury to his left hand. The
reason behind the occurrence is said to be not providing liquor
to the petitioners.

4. It is submitted by learned counsel for the petitioners that no
such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the real fact of the matter is that the petitioners and informant are neighbour and there is petty dispute between both the parties due to which the petitioners have been falsely implicated in this case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case as well as the fact that petitioner no.1 is aged about 74 years, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sherghati P.S. Case No. 1195 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Considering the facts and circumstances of case and the nature of the injuries, I am not inclined to enlarge petitioner nos.2, 3 & 4 on anticipatory bail. The prayer for anticipatory



bail of the petitioner nos.2, 3 & 4 is hereby rejected. However, if the petitioner nos.2, 3 & 4 surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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