

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41607 of 2024

Arising Out of PS. Case No.-856 Year-2023 Thana- BODHGAYA District- Gaya

1. Golden Yadav @ Golden Kumar S/o Binesh Yadav R/o Village-Panchhatti, P.S.-Bodhgaya, Dist.-Gaya
2. Guddu Yadav @ Vinay Kumar Yadav @ Guddu Kumar S/o Binesh Yadav R/o Village-Panchhatti, P.S.-Bodhgaya, Dist.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-07-2024 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bodhgaya P.S. Case No. 856 of 2023 dated 11.11.2023 registered for the offence(s) punishable under Section(s) 341, 323, 308, 504/34 of the Indian Penal Code.

3. Mr. Vijay Kumar, learned counsel for the petitioners submits that there is case and counter case between both the parties, as per the FIR, the informant is said to have sustained injuries but the nature of his injuries has been opined to be simple caused by hard and blunt object as appears from the order impugned while as per allegation he was assaulted by



means of sharp cut weapon which does not get corroboration from informant's nature of injuries. It is further submitted that the FIR itself shows that the alleged occurrence was not pre-planned and the same took place in the spur of moment on account of a dispute having arisen due to vehicle's overtaking and against the petitioners there is no serious allegation. It is further submitted that both the petitioners have fair and clean antecedent and they are young persons.

4. Ms. Renu Kumari, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Having considered the above submissions and mainly the nature of allegation and the nature of the injuries of the informant discussed in the order impugned and coupled with the petitioners' fair and clean antecedent and also, the genesis of the occurrence appearing from the FIR, this court is inclined to accept the anticipatory bail of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Bodhgaya P.S. Case No. 856 of 2023 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



Court concerned, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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