

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47296 of 2024

Arising Out of PS. Case No.-808 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. Munna Yadav son of Bhuneshwar Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
2. Chandan Yadav son of Prayag Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
3. Praveen Kumar son of Rajendra Prasad Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
4. Navneet Kumar son of Rajendra Prasad Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
5. Nitish Kumar son of Rampravesh Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
6. Rambaran Yadav @ Baran Yadav son of Late Bhagirath Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
7. Bindeshwar Kumar son of Rambilas Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
8. Rahul Kumar son of Chandrashekhar Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
9. Ritesh Kumar son of Naresh Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
10. Sudhir Yadav son of Brahmdev Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
11. Uday Yadav son of Naval Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura
12. Bhim Kumar son of Naval Yadav R/O Village- Kare PS- Sheikhpura dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 147, 148, 149, 323, 307, 354 and 379 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners no. 1, 2, 7 and 10 have antecedent of one case while rest of the petitioners have antecedent of two cases as pleaded in the supplementary affidavit. It is further submitted that the informant alleges that while her husband was going for harvesting the crop when he was intercepted by the accused persons including the petitioners and the accused persons assaulted him with lathi, danda and Subelal Yadav fired causing injury on the back of the husband of the informant who was taken to the hospital for treatment as his condition was critical. It is further alleged that the accused persons entered the house of the sister-in-law (Gotani) of the informant Bhaswa Devi and assaulted her by lathi, danda, rod, hammer etc. causing injury on her head and when the daughter-in-law Kumari Jyoti of Bhaswa Devi tried to save her she was also assaulted and Subelal Yadav even molested her and Bheem and Uday Yadav took away Rs.50,000/-.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case with



general and omnibus allegation of assault, though specific allegation of causing firearm injury is against Subelal Yadav. It is further submitted that Sheikhpura P.S. Case No. 799 of 2023 was instituted from the side of the petitioners against the informant of the present case and his side alleging that right hand of Babloo Yadav was chopped by Dani Yadav and left hand was chopped by Manish Yadav while other accused assaulted him. It is next submitted that Babloo Yadav is the son of Late Saryug Yadav and petitioners are *pattidars* of Late Suryug Yadav while Manish Yadav and Dani Yadav are related from the side of the informant. It is also submitted that since both hands of Babloo Yadav were chopped by the accused persons from the side of the informant, as such, the present occurrence took place but then specific allegation of firing is against Subelal Yadav while rest of the petitioners have been implicated with general and omnibus allegation. It is further submitted that Subelal Yadav is not the petitioner in the present anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in



the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each 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 Sheikhpura P.S. Case No. 808 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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