

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42148 of 2024

Arising Out of PS. Case No.-305 Year-2022 Thana- JHAJHA District- Jamui

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1. Yogendra Yadav Son Of Late Sitabi Yadav Village- Tatbadih, Ps- Jhajha, Dist- Jamui
 2. Birendra Yadav @ Birendra Kumar Son Of Yogendra Yadav Village- Tatbadih, Ps- Jhajha, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar

For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2024 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 offence punishable under Sections 341, 323, 325, 354, 379, 385, 307, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that on 18.07.2020 when he was repairing his room after giving fodder to his animal, when petitioners along with other named accused arrived variously armed with rod, lathi, sword, pistol and Yogendra demanded ransom of Rs.2 lacs and when the same was objected by the informant, it is alleged that



Yogendra assaulted him by an iron rod, thereafter, Birendra also assaulted the informant by rod on his leg, cheek and head, thereafter, Yogendra assaulted the son of the informant by sword, next Nirmala Devi assaulted the wife of the informant by rod and Sonu, Sunil assaulted the mother of the informant and Mithilesh by an iron rod, thereafter, Yogendra and Sonu snatched Rs.30,000/- along with ornaments worth Rs.1 lakh. The learned counsel submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the same does not inspire confidence for the reason that it does not appear probable that the entire family would have come along with the women for demanding extortion. It is next submitted that there is an admitted land dispute in between the informant's side and the petitioners, on account of which, an altercation had taken place, in which, both sides assaulted each other. It is also submitted that though Yogendra is alleged to have assaulted the son of the informant by sword but then no injury of sharp edged weapon was found. It is further submitted that till date the doctors have not opined about the injuries.

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

5. Considering the submissions made by the learned



counsel for the petitioners, 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 learned trial court where the case is pending/successor court in connection with Jhajha P.S. Case No.305/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the learned trial court before accepting the bail bonds of the petitioners shall verify the injury report of the injured and in the event if it is found that the informant or his son received grievous injury, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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