

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41711 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- JAYRAMPUR District- Sheikhpura

1. RADHARAMAN KUMAR SON OF CHOTE YADAV RESIDENT OF VILLAGE - TOIGARH, P.S. - JAIRAMPUR, DISTRICT - SHEIKHPURA
2. JITO YADAV @ JITENDRA YADAV SON OF KAILASH YADAV RESIDENT OF VILLAGE - TOIGARH, P.S. - JAIRAMPUR, DISTRICT - SHEIKHPURA
3. SUNIL YADAV SON OF KAILASH YADAV RESIDENT OF VILLAGE - TOIGARH, P.S. - JAIRAMPUR, DISTRICT - SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar Choudhary,Adv.
for the informant	:	Mr. Jitendra Kumar, Adv.
For the Opposite Party/s	:	Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P for the State.

2. The petitioners are apprehending their arrest in connection with Jairampur P.S. Case No. 81 of 2023 dated 27.12.2023 registered for the offences punishable u/ss 147, 148, 149, 323, 324, 325, 379, 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's goat



was killed by the co-accused, Nikhil Kumar @ Rakesh Kumar by throwing down. When the informant's brother Sadhu Yadav went to the house of the co-accused, Nikhil Kumar to make complaint and he reached near Thakurbari then the petitioner and the co-accused persons were already present there and they assaulted him with intent to kill and also abused him. The co-accused, Jitesh Yadav @ Mutar Yadav assaulted the informant's brother with axe causing head injury. The co-accused, Ramesh Yadav assaulted the informant's brother Sadhu Yadav with iron rod causing fractured injury to his hand. In the meantime, Mukesh Yadav came to rescue him then the co-accused, Ramesh Yadav assaulted him badly with iron rod due to which he sustained head injury. The co-accused, Manish Kumar assaulted the informant with iron rod causing head injury. The co-accused, Rahul Kumar assaulted Baiju Yadav with iron rod causing head and hand injuries. The co-accused, Nikhil Kumar and Radharaman (petitioner) assaulted the informant's brother Anil Yadav and snatched Rs. 15,000/- and golden locket. Thereafter, people gathered there then the co-accused, Jitesh Kumar fled away by making open fire.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case due to land dispute. There is case and counter case between the parties. Nothing has been recovered from the conscious possession of the petitioners. As per the supplementary report of the injured, Anil Yadav, the injury is normal in nature caused by hard and blunt object. No injury of Sadhu Yadav is available on the record. The co-accused person has already been granted regular bail by this court vide order dated 13.08.2024 passed in Cr. Misc. No. 44414 of 2024. The petitioners have four criminal antecedents in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Sheikhpura, in connection with Jairampur P.S Case No. 81 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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