

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42592 of 2024

Arising Out of PS. Case No.-219 Year-2016 Thana- TEKARI District- Gaya

1. GANESH YADAV S/O BRAJESH YADAV @ GIRIDESH YADAV R/O VILLAGE- BARAHDARWA, P.S- TEKARI, DISTT.- GAYA.
2. BRAJESH YADAV @ GIRIDESH YADAV S/O JANKU YADAV @ CHANAKU YADAV R/O VILLAGE- BARAHDARWA, P.S- TEKARI, DISTT.- GAYA.
3. SONAM DEVI @ SONWA DEVI @ SONMATI DEVI W/O BRAJESH YADAV @ GIRIDESH YADAV R/O VILLAGE- BARAHDARWA, P.S- TEKARI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Aryan Singh, Advocate
For the State	:	Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 447, 323, 307, 379 and 504 of the Indian Penal Code.

3. The prosecution case in brief is that on 24.07.2016 at about 11 PM, while the informant was sitting in front of his house, in the meantime, all the F.I.R. named accused persons, including these petitioners, arrived there and abused and assaulted informant and his family members with lathi, as a result of which they sustained injuries.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that Petitioner No. 2 is owner brother, Petitioner No. 1 is nephew and Petitioner No. 3 is sister-in-law of the informant. Allegation of assault is general and omnibus. There is no specific accusation of overt act against these petitioners. Doctor has found the injuries sustained by the injured to be simple in nature. Similarly situated co-accused person, namely Satyendra Yadav, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 19.06.2024 passed in Cr. Misc. No. 31071 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured and claim based on parity, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya, in connection with Tekari P.S.



Case No. 219 of 2016, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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