

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43614 of 2024

Arising Out of PS. Case No.-699 Year-2023 Thana- GHOSI District- Jehanabad

1. Ramnandan Yadav S/o Late Chhotu Yadav R/o Village-Sujatpur, P.S.- Ghoshi, District-Jehanabad
2. Ramvaran Yadav @ Ram Baran Yadav S/o Late Chhotu Yadav R/o Village-Sujatpur, P.S.-Ghoshi, District-Jehanabad
3. Vijay Yadav S/o Ramji Yadav R/o Village- Sujatpur, P.S.-Ghoshi, District-Jehanabad
4. Balam Yadav @ Valam Yadav S/o Ramji Yadav R/o Village- Sujatpur, P.S.- Ghoshi, District-Jehanabad
5. Sonu Kumar S/o Inglesh Yadav R/o Village- Sujatpur, P.S.-Ghoshi, District-Jehanabad
6. Ravikant Yadav @ Ravikant Kumar S/o Kishori Yadav R/o Village-Sujatpur, P.S.-Ghoshi, District-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 04-09-2024 1. Heard learned counsel for the petitioners and Mr. Rabindra Kumar 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, 341, 323, 325, 307, 379 and 504 of the Indian Penal Code.
3. The case was taken up on 20.07.2024 when the case diary along with the injury report was called for.
4. The case diary has been received but then the injury report of the injured has not been received as yet.



5. The Court will not wait endlessly in the nature of allegation as alleged in the FIR and, thus, proceeds to decide the case on merit.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

7. The informant alleges that on 11.11.2023 at about 08:00 p.m. the accused persons including the petitioners entered his house and started abusing. It is further alleged that Ramvaran Yadav (petitioner no. 2), Ramnandan Yadav (petitioner no. 1), Vijay Yadav (petitioner no. 3), Balam Yadav (petitioner no. 4), Sonu Kumar (petitioner no. 5), Jitendar Kumar, Raj Kumar Yadav, Bigan Kumar, Ravikant Yadav @ Ravikant Kumar (petitioner no. 6), Baban Kumar, Srikant Kumar, Bunty Kumar and others assembled there, thereafter, the accused persons assaulted the informant by butt of pistol causing injury on his head. It is next alleged that Jitendra Kumar assaulted the wife and daughter of the informant by lathi and Ravikant Yadav @ Ravikant Kumar (petitioner no. 6) also assaulted his daughter by lathi causing injury on her hand, thereafter Srikant Kumar assaulted the informant by farsa causing injury on his head. It is further alleged that Jitendra Kumar along with 5-6 unknown accused also assaulted the



informant by farsa causing injury on his head while Baban Kumar and others took away Rs.20,000/-.

8. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioners except petitioner no. 6 who is alleged to have assaulted the daughter of the informant by lathi causing injury on her hand. It is further submitted that as far as other petitioners are concerned, the allegation of assault against them is general and omnibus in nature. It is next submitted that the occurrence took place on account of dispute relating to land.

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

10. 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 Ghoshi P.S. Case No. 699 of 2023, subject to the conditions as laid



down under Section 438 (2) of the Cr.P.C.

11. However, the learned trial court before accepting the bail bonds of petitioner no. 6 Ravikant Yadav @ Ravikant Kumar shall verify the injury of the daughter of the informant on the hand and if it is found that the injury caused is grievous in nature, in that event, the present anticipatory bail order shall not be given effect to in favour of petitioner no. 6 but if the injury is simple in nature, his bail bonds shall be accepted forthwith.

(Satyavrat Verma, J)

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