

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3012 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- UPHARA District- Aurangabad

-
-
1. Jai Ram Yadav Son Of Late Bakhora Yadav Village- Bilaru, P.S.- Upahara, Distt.- Aurangabad (Bihar)
 2. Sukhram Yadav Son Of Late Bakhora Yadav Village- Bilaru, P.S.- Upahara, Distt.- Aurangabad (Bihar)

... .. Appellant/s

Versus

1. The State Of Bihar
2. Brijnandan Paswan Son Of Lakshmeshwar Paswan Village- Bilaru, P.S.- Upahara, Distt.- Aurangabad (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-09-2024 Heard learned counsel for the appellants as well as
learned APP for the State.

2. In this case, the appellants are seeking regular bail in connection with Upahara P.S. Case No. 25 of 2024, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 354, 504, 506 of the Indian Penal Code.

3. As per allegation, when the informant's daughter and daughter-in-law were going to call of nature, Chintu Yadav, J.P. Yadav and Nirbhay Yadav caught their hands with bad intention. When the informant reached there with his associates, Chintu



Yadav and J.P. Yadav assaulted him with iron rod and he got ear and elbow injury.

4. The learned counsel for the appellants has submitted that there is no specific allegation against of inflicting assault against the appellant no.1. He has falsely been implicated in this case merely because he is father of co-accused, Chintu Yadav and Mantu Yadav and appellant no.2 is uncle of Chintu and Mantu Yadav. It has also been mentioned that the appellants and their family members were assaulted by the informant and his family members and they have also lodged a case on same day in the police station. The appellants are under custody since 07.05.2024.

5. On the other hand, learned counsel for the informant submits that there is specific allegation against petitioner no.2, Sukhram Yadav that he abused the family members of the informant in the words by taking his caste name and also assaulted with iron rod.

6. To which, the learned counsel for the appellants submits that the motive for the occurrence is altercation between the children of both sides and not the malicious feelings of caste.

7. Considering the aforesaid facts and circumstances as



well as period of incarceration, let the appellants above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Aurangabad in connection with Upahara P.S. Case No. 25 of 2024, subject to the following condition:-

- (i) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

Guddu/-

U		T	
---	--	---	--

