

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46611 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- KURTHA District- Jehanabad

1. Devendra Yadav son of Late Kaiyal Yadav Village- Pirhi Ps- Kurtha Dist- Arwal
2. Chandrama Yadav son of Late Judagi Yadav Village- Pirhi Ps- Kurtha Dist- Arwal
3. Guddu Yadav son of Sakal Yadav Village- Pirhi Ps- Kurtha Dist- Arwal
4. Suraj Yadav son of Raj Ballam Yadav Village- Pirhi Ps- Kurtha Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. Bharat Lal, APP
For the Informant	:	Mr. Chandramohan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2024

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 and 302 of the Indian Penal Code.

3. As per prosecution case, on 16.04.2024 at about 10-11 PM, while informant was going to field along with his uncle, in the meantime, all the F.I.R. named accused persons, including these petitioners, and 10 other miscreants, equipped with lathi, danda, khanti, rod and spade, arrived there and assaulted informant and his uncle, as a result of which both of them died during course of treatment.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners have falsely been implicated in this case. As a matter of fact, the present case is counter-blast of Kurtha P.S. Case No. 120 of 2024 which was lodged by petitioners' side against the informant and others for murder of six year old son of co-accused Dipu Kumar. Allegation of assault is general and omnibus. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific allegation that they, along with other accused persons, assaulted informant and his uncle, as a result of which both of them died during course of treatment.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is rejected.

(Prabhat Kumar Singh, J)

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