

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48415 of 2024

Arising Out of PS. Case No.-436 Year-2023 Thana- JAMUI District- Jamui

1. Anik Yadav @ Anil Yadav Son Of Manno Yadav Resident Of Village - Lagma, P.S. - Jamui, District - Jamui
2. Ashish Yadav @ Angin Yadav Son Of Anik Yadav Resident Of Village - Lagma, P.S. - Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-08-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Jamui P.S. Case no. 436 of 2023 registered under sections 307 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that two accused persons forcibly took her husband near the tractor giving threats and forced him to fix the pulley. It is further stated that on the signal given by Ashish Yadav, Anik Yadav started the tractor as a result of which the informant's husband got entangled in between the socket and pulley and suffered serious injuries.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. From reading of the F.I.R itself it would transpire that it is a case of accident in fixing of the tractor and by no stretch of imagination a case under section 307 of the Indian Penal Code is made out against the petitioners. In fact the genesis of the occurrence is a complaint case filed by the informant which led to subsequent registration of the instant F.I.R. For an occurrence which is alleged to have taken place on 13.4.2023, the complaint was made for the first time in Court on 24.4.2023. The petitioners have no criminal antecedent.

5. The application is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioners in the F.I.R, the delay in filing of the complaint at the first instance together with the petitioners not having any criminal antecedent, it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Jamui P.S. Case no. 436 of 2023 on each of them furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial Magistrate,
Jamui.

(Partha Sarthy, J)

Harsh/-

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