

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51194 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- BRAHMPUR District- Buxar

1. Jitendra Yadav @ Anup Yadav Son Of Late Hari Kishun Yadav @ Hari Yadav Village- Dhanchhepan, Ps- Brahampur, Dist- Buxar
2. Mutan Yadav Son Of Late Hari Kishun Yadav @ Hari Yadav Village- Dhanchhepan, Ps- Brahampur, Dist- Buxar
3. Shiv Bihari Son Of Late Hari Kishun Yadav @ Hari Yadav Village- Dhanchhepan, Ps- Brahampur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pravin Kumar Sinha, Adv.
For the informant	:	Mr. Anil Kumar Roy, Adv.
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-08-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Brahampur P.S. Case No. 181 of 2024 dated 09.04.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 324, 325, 380, 452, 504, 307 of the Indian Penal Code.

3. As per the prosecution case, when the informant's grand-son, Raushan Yadav was sitting at his door then the co-accused, Deepak Yadav came and started abusing him then the informant's son Satyendra Yadav reached there and try to pacify the



matter but the co-accused, Deepak Yadav and Raju Yadav assaulted on his head with danda causing head injuries and fingers. When the informant's second son Bahadur Yadav came to rescue, he was assaulted by Shiv Bihari Yadav (petitioner no. 3) with lathi on his head causing injury. When the informant's grand daughter came to rescue him then Jitendra Yadav (petitioner no. 1) assaulted her with danda and his brother, Pawan Kumar tried to take away her, in the meantime, Mutun Yadav (petitioner no. 2) and Ram Lal Yadav armed with Bhala and Barchi started assaulting him causing head injury and he became unconscious. It is further alleged that the informant's another son, Mahendra Yadav came to save them, the co-accused Mukesh Yadav assaulted him with rod due to which he sustained head injury. It is further alleged that Shiv Bihari Yadav (petitioner no. 3), Ram Bihari Yadav, Deepak Yadav and Raju Yadav entered the informant's house and took Rs. 20,000/- from the pocket of the informant and also assaulted him and his family members due to which they sustained injuries. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter case between the parties. The allegation of snatching against the petitioners is ornamental. As per the injury report of the informant's son Bahadur Yadav (Annexure-5) who sustained two injuries, the injury no. 1 is simple in nature and



the injury no. 2 is stated to be grievous in nature and both injuries are on non vital part of the body. Sonam Kumari sustained two injuries. The opinion regarding injury no. 1 is kept reserved and the injury no. 2 is simple in nature. The injured Pawan Kumar also sustained simple in nature. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 10.04.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Brahampur P.S. Case No. 181 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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