

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51528 of 2024

Arising Out of PS. Case No.-765 Year-2023 Thana- SAUR BAZAR District- Saharsa

1. Prabhu Yadav Son of Kanik Lal Yadav R/o Village - Khajuri, Ward No.- 12, P.S.- Saur Bazar (O.P. Baijnathpur), District - Saharsa.
2. Shambhu Yadav Son of Kanik Lal Yadav R/o Village - Khajuri, Ward No.- 12, P.S.- Saur Bazar (O.P. Baijnathpur), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Saur Bazar (O.P. Baijnathpur) P.S. Case No. 765/2023 instituted under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code lodged on 03.12.2023 by the informant, Suresh Yadav.

3. As per the prosecution story, the informant alleged that the accused persons including these two petitioners, Prabhu Yadav and Shambhu Yadav came and informed that their son, Ashish Kumar has challenged them earlier. Upon the informant's wife trying to pacify the matter, the allegation is that petitioner no.1, Prabhu Yadav gave iron rod blow on the head of the wife of the informant. When the daughter came to rescue,



the ladies assaulted her. Further, when Ashish Kumar came, Shambhu Yadav gave repeated Khanti blow on his mouth and head causing serious injuries. They rushed to Sadar Hospital, Saharsa and later to PMCH, Patna in an unconscious position. Accordingly, the FIR.

4. Though, learned counsel for the petitioners tried to impress upon this Court that they are agnates and due to minor issues, the scuffle took place, learned APP has taken this Court to the chart which has been incorporated by the learned Sessions Judge, Saharsa to show that both Ram Pari Devi (wife of the informant) and Ashish Kumar (son of the informant) received the injuries which are 2”x 2” on the head of wife as also 3”x 3/2” on the head of son. Further, in the remarks column, it has been opined that all the injuries have been found to be grievous in nature.

5. In that background, no relief can be extended to these petitioners and the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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