

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48827 of 2024**

Arising Out of PS. Case No.-251 Year-2023 Thana- MAHKAR District- Gaya

Ramuchit Yadav @ Karu @ Uchit Yadav @ Karu Yadav Son of Late Ram  
Jatan Yadav Resident of Village - Balchand Bigha, Khudai Tola, Post Office -  
Hemara, Police Station - Mahkar, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      18-09-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending arrest in connection  
with Mahkar P.S. Case No. 251 of 2023 dated 23.11.2023,  
lodged under Sections 341, 323, 324, 307, 385, 504, 506, 34 of  
the Indian Penal Code pending before the Court of Additional  
Chief Judicial Magistrate 1<sup>st</sup> Class, Gaya.

3. As per the prosecution, FIR has been lodged against  
five named accused persons including the present petitioner  
against whom there is an allegation that they have assaulted the  
informant and his father due to which they sustained injury.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. Counsel



also submits that till date, no injury has come and it is still under observance. Counsel submits that specific allegation and respective injuries are on record and the role of the petitioner in the alleged offence is minimal. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail. Counsel submits that on previous occasion, case diary and injury report has been called for and from the case diary, it transpires that there is no involvement of the petitioner in commission of crime.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation against the accused persons including the petitioner of assault. Though, injury is not there, but the present offence has been made in connivance with each other in which role of everyone has been described in the FIR. Counsel submits that said role has been stated by the respective witnesses in the case diary.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before



the learned Court below within a period of 4 weeks from today.  
In case, the petitioner surrendered within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

**(Dr. Anshuman, J)**

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