

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49271 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- BELHAR District- Banka

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1. Pappu Yadav Son of Upendra Yadav R/o Village- Madhukarpur, P.S.- Belhar, District- Banka
 2. Sagar Yadav S/o Upendra Yadav R/o Village- Madhukarpur, P.S.- Belhar, District- Banka
 3. Bullu Yadav @ Bulbul Yadav @ Prince Kumar Son of Pappu Yadav R/o Village- Madhukarpur, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-08-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Belhar P.S.Case no.4 of 2024 registered for the offence punishable under sections 307, 341, 323, 354, 504 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that on the orders of the petitioner no.1 the petitioner no.2 struck the informant's brother with a *khanti* leading to grievous injuries.

4. Learned counsel for the petitioners submits that



the petitioners have been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the FIR. The petitioners have no criminal antecedent and undertake to cooperate in the trial.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation of assault against the petitioner no.2 with a *khanti* leading to grievous injuries on the brother of the informant together with the same having been substantiated from the injury reports, the Court is not inclined to enlarge the petitioner no.2 Sagar Yadav on bail and his application for bail is rejected.

7. The petitioner no.2 is directed to surrender before the Court below within a period of four weeks.

8. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner nos.1 and 3 in the FIR, the alleged overt act being against coaccused Sagar Yadav and not against petitioner no.1 and petitioner no.3, it is directed that the petitioner no.1 Papu Yadav and petitioner no.3 Bullu Yadav, 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 Belhar P.S.Case no.4 of 2024 on 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, Banka.

(Partha Sarthy, J)

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