

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54866 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- LACHHUAR District- Jamui

1. Vipin Kumar @ Vipin Yadav Son Of Suresh Yadav Resident Of Village - Bhullo, P.S. - Lacchuwar, District - Jamui
2. Ramashish Yadav Son Of Ashok Yadav Resident Of Village - Bhullo, P.S. - Lacchuwar, District - Jamui
3. Monu Kumar @ Monu Yadav Son Of Ganga Yadav Resident Of Village - Bhullo, P.S. - Lacchuwar, District - Jamui
4. Rahul Kumar @ Rahul Yadav Son Of Indradeo Yadav @ Indra Yadav Resident Of Village - Bhullo, P.S. - Lacchuwar, 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.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Lacchuwar P.S. Case No. 62 of 2024, registered on 24.04.2024 for the offences under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the informant and his brother with *lathi*, *danda* and brick causing injury to them. The occurrence took place in the background that the petitioner no. 1 dragged the mother of the



informant to join him dancing as number of persons were celebrating during of a marriage ceremony of the daughter of a co-villager.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is a counter version and father of petitioner no. 4 has lodged Lacchuwar P.S. Case No. 63 of 2024 under Section 308 and other minor sections of the IPC against the informant side. The petitioners received injuries in the said occurrence. Learned counsel further submits that no occurrence as alleged, like dragging the mother of the informant for dance occurred, and it is a super addition. All villagers had been enjoying and dancing on the occasion of marriage ceremony of daughter of co-villager and in fighting both sides received injury. In these facts and circumstances, no offence under Sections 307 and 354 IPC is made out. Learned counsel further submits that moreover injuries of informant and his brother are quite simple and are lacerated wound of size 1.5"x1/4"x1/2" apart from pain in the body. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances



and submissions made on behalf of the parties and considering the case and its counter version and further considering the simple nature of injury, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/concerned court in connection with Lacchuwar P.S. Case No. 62 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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