

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54159 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- LARJHAGHAT District- Samastipur

1. Rajiv Yadav @ Rajiv Kumar Son of Nasiv Yadav @ Nashib Yadav R/O Vill.- Belsandi, Ward no.11, P.s.- Larjhaghat, Dist.- Samastipur.
2. Nashib Yadav @ Nasiv Yadav @ Nasib Yadav Son of Mohit Yadav R/O Vill.- Belsandi, Ward no.11, P.s.- Larjhaghat, Dist.- Samastipur.
3. Naresh Yadav Son of Dayanand Yadav R/O Vill.- Belsandi, Ward no.11, P.s.- Larjhaghat, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Yadav, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-08-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Larjhaghat PS case no. 18 of 2024, disclosing offences punishable under Sections 307, 354 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 12.04.2024 at about 11.00 am, some villagers were plucking sahjan fruits of the informant and when he intervened, accused Bhukhal Yadav came and started abusing him stating that the said tree belongs to him. When the



informant came back to his home, all accused persons came and started assaulting him by iron rod, lathi and danda, due to which, he sustained head injury and blood started oozing out. When the parents of the informant came to rescue him, they were also assaulted.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to village politics, as the petitioners were not present at the alleged time and place of occurrence. Learned counsel further submits that petitioner no. 1 is a student and is pursuing his Intermediate course.

5. Having regard to the facts and circumstances of the case and taking into consideration the fact that all the accused persons are involved in assaulting the informant and injury caused to the informant is on the vital part of the body i.e. head, I am not inclined to grant the privilege of anticipatory bail to petitioners no. 2 and 3.

6. However, if the petitioners no 2 and 3 surrender and file an application for grant of regular bail, the learned District Court shall decide the same without being prejudiced by the rejection of the present anticipatory bail application of petitioners no. 2 and 3.



7. So far as the petitioner no. 1 is concerned, considering the fact that he is a student and is pursuing his studies, as such, I am inclined to grant him the privilege of anticipatory bail.

8. Let petitioner no. 1, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Rosera, Samastipur in connection with Larjhatghat PS case no. 18 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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