

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55795 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

1. Dinesh Kumar Yadav @ Dinesh Yadav @ Choti Yadav Son of Late Surendra Kumar Yadav @ Surendra Yadav Resident of Village - Dalsagar, Police Station - Buxar Industrial in the district of Buxar.
2. Sandeep Yadav Son of Late Surendra Kumar Yadav @ Surendra Yadav Resident of Village - Dalsagar, Police Station - Buxar Industrial in the district of Buxar.
3. Dayanand Yadav Son of Ramashankar Yadav Resident of Village - Belaur, Police Station - Buxar Industrial in the district of Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate.
For the Opposite Party/s : Mr.Akbar Ali, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2024 Heard Mr. Sunil Kumar, learned counsel appearing on behalf of the petitioners and Mr. Akbar Ali, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Buxar Industrial P.S. Case No. 62 of 2024 registered for the offence punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the accused persons are said to have opened fire and assaulted the informant with an intention to kill him. Specific allegation is against petitioner no.1 Dinesh Kumar Yadav that he by means of butt of



the pistol had assaulted the informant and the injury was found to be grievous in nature.

4. Learned counsel appearing on behalf of the petitioners submitted that though there is specific allegation against petitioner no.1 that he by means of butt of the pistol had assaulted the informant on head, but the said allegation is concocted one considering the fact that some injury might have been caused on the body of the informant by petitioner no.1 which was in his self defence as both the parties indulged into fierce fight. So far as petitioner nos. 2 and 3 are concerned, the allegation levelled against him is general and omnibus. There is case and counter case between the parties.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submitted that against all the petitioners, criminal cases are pending as it would appear from Para-3 of the bail application.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that there is general and omnibus allegation against petitioner nos. 2 and 3, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Industrial P.S. Case No. 62 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. So far as petitioner no.1 Dinesh Kumar Yadav is concerned, there is direct allegation against him that he had assaulted by means of butt of the pistol on the head of the informant to kill him and injury as recorded in the impugned order is grievous in nature, I am not inclined to enlarge the petitioner no.1 on pre-arrest bail.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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