

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59192 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- ALOULI District- Khagaria

1. Sushila Devi wife of Kuldeep Yadav
2. Arun Yadav son of Fulo Yadav
3. Ranjay Yadav son of Sagar Yadav
4. Ram Kumar Yadav @ Ram Kumar son of Kuldeep Yadav, All are resident of Village- Chikni Ps- Alouli Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 385, 325, 354, 379, 504, 506 of the IPC in connection with Alouli P.S. Case No.139 of 2024.

3. The learned counsel for the petitioners submit that petitioners are persons with clean antecedent and petitioner no.1 is a women and the informant alleges that on account of dispute relating to land accused Laxman fired in the air, further on orders of Kuldeep accused Sanjay assaulted Draupadi on head by an iron rod causing injury, Pooja and Chandani assaulted



Nandlan by lathi, thereafter, Kuldeep assaulted Akhilesh by lathi, fracturing his hand, Wakil assaulted Lakhan by rod causing injury on nose and Ram Kumar assaulted Bharat by lathi fracturing his land, thereafter, Kuldeep bite the neck of the informant by teeth.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place. It is also submitted no doubt persons from the side of the informant have received injury, but then specific allegation of assault is alleged against the named accused persons who have assaulted the injured. It is next submitted that as far as the petitioners of the instant anticipatory bail application are concerned except for Ram Kumar other three petitioners are not alleged to have assaulted the injured, rather the allegation against them is general and omnibus in nature. It is also submitted that allegation against Sushila Devi is ornamental as she has been alleged to have snatched the golden chain. It is further submitted petitioner no.4, Ram Kumar Yadav is alleged to have assaulted Bharat, but then from perusal of the



injury report of Bharat at page-29 Annexure-3A of the anticipatory bail application, it would manifest that the same records -swelling of size 1"x1" at base of left thumb, which is a non-vital part of the body.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel for the petitioners that petitioner no.1,2 and 3 are not alleged to have assaulted, rather allegation against them is general, omnibus and ornamental in nature and as far as Ram Kumar Yadav is concerned that the injury alleged to have been inflicted by him on Bharat is on non-vital part of the body. It is also submitted that petitioners are not criminal.

6. The learned counsel for the petitioner at this stage submits that petitioners are not criminal and the entire family members have been implicated.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alouli P.S. Case No.139 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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