

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58960 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- DUMRAO District- Buxar

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1. Ramashankar Yadav @ Ramashankar Singh S/O Late Gulzar Yadav R/O Village- Chaturshalganj, P.S- Dumraon, Dist.- Buxar.
 2. Dipendra Yadav @ Dipendra Kumar Yadav S/O Ramashankar Yadav R/O Village- Chaturshalganj, P.S- Dumraon, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 211-09-2024
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail arises out of Dumraon Police Station Case No. 188 of 2024, 21.05.2024, disclosing offences under Sections 308/325/341/504/506/34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 21.05.2024, in the morning, when the informant was fencing her field, the petitioners arrived there and abused her. When objected, on orders of petitioner no. 1, the petitioner no. 2 assaulted her by means of khanti due



to which she sustained injury on her head and her hand got fractured.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they falsely been implicated in the present case on the basis of concocted story due to oblique motive. He next submits that both parties are co-sharer and agnates. The petitioners have got no criminal antecedent.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates and co-sharer, there is specific allegation of assault against the petitioner no. 2 and injury caused to the informant is grievous in nature, I am not inclined to grant the petitioner no. 2 privilege of anticipatory bail.
6. Accordingly, the anticipatory bail application in respect of petitioner no. 2 is dismissed.
7. In so far as the petitioner no. 1 is concerned, hs is an order giver and there is no allegation of assault against him, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail.



8. Accordingly, this application, in respect of the petitioner no. 1 is allowed.
9. Let the petitioner no. 1, Ramashankar Yadav @ Ramashankar Singh, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail 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 Dumraon Police Station Case No. 188 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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