

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60481 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- Madhusudanpur District- Bhagalpur

1. Dayanand Yadav S/o Kailu Yadav R/o vill - Bhatoriya Ganga Prasad, P.S. - Madhusudanpur, Distt. - Bhagalpur
2. Veeran Yadav S/o Dayanand Yadav R/o vill - Bhatoriya Ganga Prasad, P.S. - Madhusudanpur, Distt. - Bhagalpur
3. Nandu Kumar S/o Anjani Yadav R/o vill - Bhatoriya Ganga Prasad, P.S. - Madhusudanpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Madhusudanpur P.S. Case No. 48 of 2024 dated 09.05.2024 instituted for the offence punishable under Sections 341, 323, 307, 354, 448, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 18.04.2024, when the informant was watering his field, petitioner no. 1 came there and started abusing him and threatened him with dire consequences if he would water the field. Thereafter on the same day at 19:00 hrs, when the



informant was sitting on the roof of his house, all the petitioners along with other accused persons entered into his house and started assaulting him by lathi-danda and iron rod. It is alleged that petitioner no. 1, namely Dayanad Yadav assaulted on the head of the informant by means of lathi, due to which he sustained grievous injury on his head. Petitioner no. 2, namely, Veeran Yadav assaulted on the hand of the informant by means of iron rod, due to which the wrist of his left hand got fractured. Petitioner no. 2 also assaulted the elder brother of the informant. It is also alleged that other accused persons also assaulted the family members of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against the petitioner nos. 1 & 2 that they assaulted the informant with lathi and iron rod, due to which he sustained injury on his head and left hand. The injuries received by the informant and his sister, namely, Madhu Kumar have been mentioned as grievous in nature caused by hard and blunt substances. Learned counsel for the petitioners submits that so far allegation levelled against petitioner no. 3 is concerned, there is no specific allegation against him rather there is general



and omnibus allegation against him. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the allegations levelled against the petitioner no. 1, namely, Dayanand Yadav & petitioner no. 2, namely, Veeran Yadav, I am not inclined to grant anticipatory bail to them.

7. Accordingly, the prayer of the petitioner nos. 1 & 2 for grant of anticipatory bail is rejected.

8. If the petitioner nos. 1 & 2 surrender before the learned court below within six weeks from today and pray for regular bail, the same shall be considered and disposed of preferably, on the same day, on its own merit without being prejudiced by this order.

9. So far petitioner no. 3 is concerned, having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner no. 3, namely, Nandu Kumar within a period of six weeks from today, in connection with Madhusudanpur P.S. Case No. 48 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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