

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62381 of 2024

Arising Out of PS. Case No.-545 Year-2023 Thana- FATEHPUR District- Gaya

1. Rajendra Yadav Son of Rameshwar Yadav R/O Vill.- Gajhandi, P.O.- Manjhauli, P.S.- Fatehpur, 824232, Dist.- Gaya, Bihar
2. Sonawa Devi @ Sonavi Devi Wife of Rajendra Yadav R/O Vill.- Gajhandi, P.O.- Manjhauli, P.S.- Fatehpur, 824232, Dist.- Gaya, Bihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate Mrs. Alka Singh, Advocate Mr. Shivam Singh, Advocate
For the Opposite Party/s :		Mr. Nirmal Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-10-2024 Heard Mr. Sumeet Kumar Singh, learned counsel

for the Petitioners and Mr. Nirmal Kumar Sinha, learned APP

for the State.

2. The petitioners apprehend their arrest in connection
with Fatehpur P.S. Case No. 545 of 2023 dated 22.07.2023
registered for the offences punishable under Sections 341, 323,
308, 504 and 379 read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel
appearing for the petitioners are that the alleged occurrence
relates to a free fight in which both the sides sustained injuries
and as per the FIR, the informant and his son Laxman Prasad
are said to have sustained injuries and their injury reports have



been filed as Annexure-P/3 series which show that the informant sustained simple injury and informant's son, Laxman Prasad, sustained one grievous injury but the same was found on the non-vital part of his body and on behalf of the petitioners' side, petitioner no. 2, namely, Sonawa Devi @ Sonavi Devi, sustained grievous injury in that occurrence and in this regard, the copy of her injury report has been filed as Annexure- P/2 series. It is further submitted that the facts of the FIR show that the alleged occurrence was not committed in a planned manner rather the same took place in the spur of the moment on account of a dispute related to grazing of cattle and initially an occurrence of abusing took place in between both the parties that resulted in free fight in between both the parties.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the petitioners' plea as to a free fight having taken place in between both the parties resulting in injuries to both the side, this Court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Fatehpur P.S. Case No. 545 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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