

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63482 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- DAUDNAGAR District- Aurangabad

1. Sheela Devi, Wife of Ravindra Yadav, R/O Village - Jamuwan, P.S.- Daudnagar, District - Aurangabad, Bihar
2. Heeramani Devi, Wife of Subhash Yadav @ Subash Yadav, R/O Village - Jamuwan, P.S.- Daudnagar, District - Aurangabad, Bihar
3. Kavita Kumari, Daughter of Ravindra Yadav, R/O Village - Jamuwan, P.S.- Daudnagar, District - Aurangabad, Bihar
4. Subhash Yadav @ Subash Yadav, Son of Ravindra Yadav, R/O Village - Jamuwan, P.S.- Daudnagar, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalbahadur Singh, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024

1. Heard Mr. Lalbahadur Singh, learned counsel for the petitioners and Mr. Humayou Ahmad Khan, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Daudnagar P.S. Case No. 126/2024 dated 26.03.2024 registered for the offences punishable under Sections 323, 341, 308 and 504 read with Section 34 of the Indian Penal Code.

3. Learned counsel appearing for the petitioners submits that the petitioners and the informant are agnates and



from bare perusal of the FIR, it would appear that the specific allegation of assaulting on the head of the informant by means of iron rod is upon Ravindra Yadav while the allegation of assaulting the informant's sister is against the petitioner No. 3 and the Doctor opined the injuries of the injured to be simple in nature and against the rest of the petitioners, the allegation is general and omnibus. Learned counsel further submits that the date of occurrence of the alleged incident is 23.03.2024 but the FIR was lodged on 26.03.2024 with an inordinate delay of 3 days without giving any plausible explanation. Learned counsel further submits that there was no intention on the part of the petitioners to cause any harm to the informant or his family members but in fact, the informant and his family members first started abusing the petitioners and were adamant to assault them and in that scuffle, the prosecution party received injuries and the petitioners have fair and clean antecedent.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the nature of injuries of the informant and his sister who are said to have sustained injuries in the alleged occurrence coupled with fair



and clean antecedent of the petitioners, this Court is inclined to grant 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 bonds 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 Daudnagar P.S. Case No. 126/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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