

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68451 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Sanjay Kumar Yadav @ Sanjay Kumar Son of Dinesh Yadav R/o -
Tekanpura, P.S - Nowkothi, District - Begusarai, Bihar
 2. Ram Akbal Kumar Yadav @ Ram Akabal Kumar Son of Dinesh Yadav R/o -
Tekanpura, P.S - Nowkothi, District - Begusarai, Bihar
 3. Mohan Kumar @ Mohan Yadav Son of Laxmi Yadav R/o - Tekanpura, P.S -
Nowkothi, District - Begusarai, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seeks bail in a case registered for
the offence punishable under Sections 341, 323, 504, 34 of the
Indian Penal Code. Later on, Section 302 of the Indian Penal
Code was added.

3. Learned counsel for the petitioners submits that
petitioner no.1 and 3 are persons with clean antecedent and
petitioner no.2 has antecedent of one case and the informant
alleges that her husband worked as a compounder with a doctor
at Begusarai, further on 23.08.2023 at 11.00 P.M. when her



husband was going to Begusarai and reached Pahsara crossing, when it is alleged that Raja Kumar informed the opponent of her husband that he was going to Begusarai, on which, Ramekbal, Sanjay, Sunni and Mohan intercepted him at the crossing and assaulted him brutally causing injury, further 3-4 unknown accused were also with them.

4. Learned counsel for the petitioner submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant is not an eyewitness to the occurrence nor the F.I.R. discloses that on what basis she came to know that the accused persons at the instance of Raja Kumar intercepted her husband and assaulted him. It is further submitted that in the nature of allegation as alleged in the F.I.R., the entire allegation hinges around suspicion. It is next submitted that the F.I.R. also does not even remotely suggest that husband of the informant gave any information to the informant prior to institution of the instant F.I.R. with regard to the occurrence. It is submitted that the husband of the informant during the course of treatment died. The learned counsel next submits that if the privilege of regular bail is granted to the petitioners in that event the



petitioners will not abscond rather will co-operate in the trial to prove their innocence.

5. The learned APP opposes the bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nowkothi P.S. Case No.108/2023.

7. However, if the learned trial court comes to a conclusion that petitioners after their release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners forthwith.

(Satyavrat Verma, J)

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