

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71525 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- EKCHARI District- Bhagalpur

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1. Ghanshyam Yadav Son of Late Naresh Yadav Resident of Village - Simana Chatiya, P.S. - Ekchari, District - Bhagalpur
 2. Shambhu Yadav Son of Late Naresh Yadav Resident of Village - Simana Chatiya, P.S. - Ekchari, District - Bhagalpur
 3. Chandan Kumar Yadav @ Chandan Kumar Son of Ghanshyam Yadav Resident of Village - Simana Chatiya, P.S. - Ekchari, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
		Mr. Rana Pratap Singh, Advocate
For the Opposite Party/s :		Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioners and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Ekchari P.S. Case No. 25 of 2024, dated 24.05.2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 354, 307, 504 and 506 of the Indian Penal Code.

3. As per the allegation, the petitioners along with other co-accused have assaulted the informant and other family members causing injury on head and other parts of the body.

4. Ld. counsel for the petitioners submit that the



Petitioners are innocent and have falsely been implicated in this case. He also submits that the alleged injury is simple in nature as per the injury report and there is no application of Section 307 IPC.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate, Ist Class-cum-A.M.-VI, Bhagalpur, in connection with Ekchari P.S. Case No. 25 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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