

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70516 of 2024**

Arising Out of PS. Case No.-58 Year-2024 Thana- SIKANDRA District- Jamui

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1. Shiv Kumar Yadav @ Sheo Kumar, S/O Saryug Yadav, R/O Village- Tal Saharsa, P.S- Sikandra, Distt.- Jamui.
  2. Lalkesh Yadav, S/O Saryug Yadav, R/O Village- Tal Saharsa, P.S- Sikandra, Distt.- Jamui.
  3. Vijay Yadav, S/O Saryug Yadav, R/O Village- Tal Saharsa, P.S- Sikandra, Distt.- Jamui.
  4. Nitish Kumar, S/O Shiv Kumar Yadav @ Sheo Kumar, R/O Village- Tal Saharsa, P.S- Sikandra, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.  
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      23-10-2024                      Heard Mr. Pankaj Kumar Sinha, learned counsel for the petitioners and Mr. Suresh Prasad Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sikandra P.S. Case No. 58 of 2024 dated 14.02.2024 registered for the offences punishable under Sections 341, 323, 504, 506 and 308 read with section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that the allegations levelled



against the petitioners in the FIR are totally false and the same are also vague, as per allegation the petitioners assaulted the informant, his son namely Ramdhani Kr. Mahto and his uncle namely Bindo Mahto but the prosecution produced before the learned trial court the injury report of the informant's son only which shows that he sustained three injuries, out of them, only one injury found on his occipital region was opined to be grievous in nature. It is further submitted that the petitioners were alleged to have assaulted the informant's uncle and the allegation was simply to have committed marpit with him on 12.02.2024, though the said uncle of the informant later on died but as per his postmortem report, his death was natural due to disease of cardiovascular system and in this regard, his postmortem report filed with this petition may be perused. It is further submitted that all the petitioners have fair and clean antecedent and against the petitioner Nos. 1, 2 and 3, there is no specific allegation.

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 the nature of allegation appearing against the petitioner Nos. 1, 2 and 3 also coupled



with their fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to them. Accordingly, let the petitioner Nos. 1, 2 and 3 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) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sikandra P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. So far as the prayer of the petitioner No. 4, namely, Nitish Kumar is concerned, he is alleged to have assaulted at the head of the informant's son by means of rod which gets corroboration from his injury report, in my opinion, the petitioner does not deserve to the privilege of anticipatory bail. Accordingly, the prayer of the petitioner No. 4 stands rejected.

(Shailendra Singh, J)

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