

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73730 of 2024

Arising Out of PS. Case No.-327 Year-2024 Thana- MADHEPURA District- Madhepura

1. Ankit Kumar Son of Dilip Yadav Resident of Village- Jhitkiya, Mahua, P.S. - Madhepura (Ghailardh O.P.), District - Madhepura
2. Aditya Kumar Son of Dilip Yadav Resident of Village- Jhitkiya, Mahua, P.S. - Madhepura (Ghailardh O.P.), District - Madhepura
3. Dilip Yadav Son of Mahendra Yadav @ Maheshwari Yadav Resident of Village- Jhitkiya, Mahua, P.S. - Madhepura (Ghailardh O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-10-2024 Heard Mr. Mukesh Kumar, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

2. Learned counsel for the petitioners is permitted to make necessary corrections in the para-1 of the bail application.

3. Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.2 as he has been arrested by the police during the pendency of the bail application.

4. Permission is granted.

5. Accordingly, this application as against the petitioner no.2



is dismissed as withdrawn.

6. Now, this application is being heard only with regard to the petitioner no.1 and 3.

7. The petitioner no.1 and 3 apprehends their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354A, 379, 504, 506/34 and 307 of the Indian Penal Code.

8. As per the FIR, petitioners and other co-accused persons assaulted the informant's side by means of several weapons.

9. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that there is specific allegation against the petitioner no.1 to assault the informant by means of farsa but the injury is of simple nature. There is no specific overt act against the petitioner no.3. Petitioners have no criminal antecedent.

10. Learned APP for the State opposed the prayer for anticipatory bail.

11. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 and 3, be released on bail,



in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Madhepura (Ghailarh O.P.) P.S. Case No.327 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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