

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76387 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- DHORAIYA District- Banka

1. Subodh Yadav @ Suvodh Yadav Son of Ganesh Yadav Resident of Village - Amjora, P.S. - Dhoraiya, District - Banka
2. Sudha Devi Wife of Subodh Yadav @ Suvodh Yadav Resident of Village - Amjora, P.S. - Dhoraiya, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Dhoraiya PS case no. 200 of 2024, disclosing offences punishable under Section 308 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 11.06.2024, the informant was collecting garbage from door to door and when he reached near the house of the petitioners, they assaulted the informant with lathi, danda. When informant's mother tried to intervene in order to rescue her son, petitioner no. 1 assaulted her by means of khanti, due to



which, she got injury in her finger.

4. Learned Counsel for the petitioners submits that informant is a sweeper and is doing the job of collecting garbage from door to door and since the garbage was not being picked up from near the house of the petitioners, they asked the reason, upon which, quarrel took place between the parties and due to that, petitioners who are husband and wife, have been made accused in this case. Learned counsel further submits that the injuries caused to the informant and his mother are not serious in nature, as would be evident from the impugned order, in which the injuries caused to the victims are discussed but it is not clear that whether the injuries are simple or grievous.

5. Learned counsel for the State vehemently opposed the prayer for anticipatory bail and submits that in the F.I.R. itself, there is allegation against petitioner no. 1 of assaulting the mother of the informant by khanti, due to which her finger was cut.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that injuries caused to the victims are not serious in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.



7. This application is, accordingly, allowed.
8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka in connection with Dhoraiya PS case no. 200 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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