

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76707 of 2024

Arising Out of PS. Case No.-673 Year-2024 Thana- NAWADA District- Nawada

Sadhu Yadav @ Shadhu Yadav S/O Haro Yadav Resident of Village- Onda,
P.O- Onda, P.S- Sare, Onda, District- Nalanda, Bihar-803107.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 77771 of 2024

Arising Out of PS. Case No.-673 Year-2024 Thana- NAWADA District- Nawada

Pankaj Yadav @ Pankaj Kumar Son of Mithlesh Yadav @ Nako Yadav
Resident of Mohalla- Gopal Nagar PS- Town Thana Gondapur District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 76707 of 2024)

For the Petitioner/s : Ms. Muskan Singh, Advocate
Ms. Vijaya Laxmi Srivastwa, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 77771 of 2024)

For the Petitioner/s : Ms. Muskan Singh, Advocate
Ms. Ruby, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-11-2024

1. Heard learned counsel for the parties.
2. The petitioners have preferred the applications for grant of anticipatory bail apprehending their arrest in connection



with Nawada P.S. Case no. 673 of 2024 registered under sections 307, 341, 323, 427 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the five named accused persons including the petitioners herein came variously armed. As a result of assault by the petitioner Pankaj Yadav, the informant sustained serious injuries on his head. He was treated in the P.M.C.H. and after his treatment ended, he returned and lodged this case.

4. Learned counsel appearing on behalf of the petitioner Sadhu Yadav @ Shadhu Yadav submits that he has been falsely implicated in the case. The allegations of assault is not on this petitioner. He has no criminal antecedent and several co-accused have been enlarged on anticipatory bail vide order dated 21.9.2024 passed in Cr. Misc. no. 63108 of 2024.

5. Learned counsel appearing for the petitioner Pankaj Yadav @ Pankaj Kumar submits that in addition to the submissions made for the petitioner Sadhu Yadav, so far as the petitioner Pankaj Yadav is concerned, he was not even present anywhere near the place of occurrence. He in fact is a student who stays outside his hometown for the purpose of his studies. He has been falsely implicated in the case because the parties who are close relatives are not on cordial terms. The F.I.R. was



registered after an unexplained delay of seven days. Compromise has been arrived at between the parties and this petitioner undertakes to cooperate in the case.

6. The applications for anticipatory bail are opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegation of assault being on the petitioner Pankaj Yadav together with the corresponding injury having been found on the head of the informant, the Court is not inclined to enlarge the petitioner Pankaj Yadav @ Pankaj Kumar on anticipatory bail and the application is rejected.

8. The petitioner Pankaj Yadav @ Pankaj Kumar is directed to surrender in the learned Court below within a period of four weeks.

9. Having heard learned counsel for the parties and taking into consideration the submissions made, the main allegation being against co-accused Pankaj Yadav and grant of bail to the other co-accused vide aforesaid order dated 21.9.2024, it is directed that the petitioner Sadhu Yadav @ Shadhu Yadav in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Nawada P.S. Case no.



673 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Partha Sarthy, J)

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