

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77711 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- BARACHATTI District- Gaya

1. Binod Yadav @ Binod Kumar @ Vinod Kumar Son of Sitaram Yadav Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.
2. Sunil Yadav @ Sunil Kumar Son of Sitaram Yadav Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.
3. Sitaram Yadav Son of Badho Yadav Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.
4. Dulari Devi Wife of Sitaram Yadav Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.
5. Nand Kishor Yadav @ Nand Kishore Kumar @ Kishori Yadav @ Nand Kishori Kumar Son of Sitaram Yadav Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.
6. Parvati Kumari Wife of Nand Kishore Yadav @ Nand Kishore Kumar @ Kishori Yadav @ Nand Kishori Kumar Resident of Village- Jamni Tola- Govat, P.S.- Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Barachatti (Mohanpur) Police Station Case No.95 of 2024, dated 12.02.2024, disclosing offences under Sections 341, 323, 325, 307, 506 and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that due to dispute regarding irrigating the field



petitioners assaulted the informant on his head and petitioner nos.1, 2, and 5 assaulted the son of the informant due to which his hand was broken.

4. Learned Counsel for the petitioners submits that the general and omnibus allegation has been made against the petitioners of assaulting the informant and his son. He further submits that the occurrence has taken place due to dispute regarding irrigation of the wheat field. He next submits that a Counter Case by way of complaint petition has been lodged by Petitioner No.6, bearing Complaint Case No. 92 of 2024. He referring to the impugned order, submits that the injury caused to the victims are referred in the impugned order but nature of injury has not been brought by the prosecution.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the allegation against the petitioners are general and omnibus in nature and the prosecution has not brought the nature of injury on record, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four



weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 2nd, Sherghati, Gaya, in connection with Barachatti (Mohanpur) Police Station Case No. 95 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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