

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77438 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- PARBATTa District- Bhagalpur

1. Manoj Yadav Son of Late Rajendra Yadav Village- Jagatpur, P.S.- Parbatta, Distt.- Bhagalpur
2. Golu Yadav @ Shivam Kumar Son of Manoj Yadav Village- Jagatpur, P.S.- Parbatta, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Ms. Renu Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-11-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the F.I.R., the petitioners along with one co-accused person came with iron rod and pistol in their hands and have assaulted the informant brutally and there is specific allegation against petitioner no.2 is of assaulting the informant with iron rod in which he sustained grievous injury on head.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. The injury sustained by the victim is grievous in nature caused by hard and blunt substance. Petitioners have clean antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioners and submits that there is direct allegation against petitioner no. 2 of assaulting the informant with iron rod in which he sustained grievous injury on head.

6. Having regard to the facts and circumstances of the case and there is no specific overt act against petitioner no.1, let the above named petitioner no. 1, be released on bail, in the event of his 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) 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 Parbatta P.S. Case No. 08 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, there is specific allegation against petitioner no. 2 of assaulting and injury of the injured is found grievous in



nature, considering the nature of injury, I am not inclined to
enlarge petitioner no.2 on anticipatory bail. The prayer for
anticipatory bail of the petitioner is hereby rejected.

8. Accordingly, the application is partly allowed.

(Anjani Kumar Sharan, J)

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