

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78794 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- JHAJHA District- Jamui

1. Awadhesh Yadav Son Of Kokil Yadav R/O Village- Near Sabaejor, P.S.- Jhajha, District- Jamui
2. Shushil Yadav Son Of Awadhesh Yadav R/O Village- Near Sabaejor, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanju Singh

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Jhajha P.S. Case No. 25 of 2023 dated 25.01.2023 registered for the offences punishable under Sections 448, 341, 323, 324, 307, 379 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons entered the house of the informant and



started assaulting his wife and his new born baby, in the meantime, the informant's wife fled away due to fear. Thereafter, at 11:30 PM, all the accused persons entered the house of the informant and started searching new born baby and when the baby was found then the petitioner no. 2 and other accused persons assaulted on the head of the informant with *taangi* and *bhujali*, causing head injury and also took Rs. 5,000/- kept in the box.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has further submitted that the injury is simple in nature. It is further submitted that the petitioner no. 1 is full brother and the petitioner no. 2 is nephew of the informant.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/-



(Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Jhajha P.S. Case No. 25 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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