

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77745 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- ANDHRAMATH District- Madhubani

1. Jageshwar Yadav S/o- Late Rameshwar Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani
2. Yogendra Yadav Son of Late Rameshwar Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani
3. Mahendra Yadav S/o- Late Rameshwar Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani
4. Devendra Yadav @ Devendra Prasad Yadav S/o- Jageshwar Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani
5. Kaushlendra Yadav @ Kaushlendra Kumar Yadav S/o- Yogendra Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani
6. Dipendra Yadav @ Dipendra Kumar Yadav S/o- Upendra Yadav Village- Mahthaur Goth, P.S. - Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Andhramath PS case no. 35 of 2024, disclosing offences punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that while the informant's family members were



returning after attending feast in the village on 01.03.2024, they were accosted due to previous enmity, by the petitioners and others. It has been alleged that the petitioners and others assaulted the son and husband of the informant by lathi, danda and farsa, due to which, they sustained injuries on head and other parts of the body.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village politics and previous enmity between the parties. Learned counsel further submits that for an occurrence, which has taken place on 01.03.2024, an F.I.R. bearing Andhramath PS Case No. 32 of 2024 was lodged by petitioner no. 1 against informant's family members, in which, four persons sustained injuries; petitioners no. 2 and 3 sustained grievous injury, however petitioners no. 5 and 6 sustained simple injuries. He next submits that after lodging of the F.I.R. by petitioner no. 1 on 04.03.2024, the present F.I.R. has been lodged on 07.03.2024. He also submits that injury caused to the informant's son is simple in nature, as would be evident from injury report, annexed as Annexure-P/2.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the delay in lodging



the F.I.R. and the fact that case and counter case is existing between the parties, injury caused to the informant's son is simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Andhramath PS case no. 35 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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