

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85029 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- BAGENGOLA District- Buxar

1. Dharmendra Yadav @ Dharmendra Singh S/O Govind Yadav R/O Village- Itaunha Tola, P.S- Nawanagar (SONBARSA O.P.), Distt.- Buxar.
2. Vijay Singh @ Bijay Yadav S/O Bahadur Yadav R/O Village- Itaunha Tola, P.S- Nawanagar (SONBARSA O.P.), Distt.- Buxar.
3. Khushilal Yadav @ Khushilal Singh S/O Bahadur Yadav R/O Village- Itaunha Tola, P.S- Nawanagar (SONBARSA O.P.), Distt.- Buxar.
4. Barmeshwar Yadav @ Barmeshwar Singh S/O Bahadur Yadav R/O Village- Itaunha Tola, P.S- Nawanagar (SONBARSA O.P.), Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 325, 384 of the Indian Penal Code.

3. Petitioners are said to have assaulted the informant by means of farsa, lathi and iron rod due to which he received injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus



allegation levelled against the petitioners. He submits that there is no specific overt act against the petitioners. He submits that occurrence took place on 04.08.2023 but the FIR has been lodged on 13.08.2023 after delay of 9 days without explaining any reasonable cause of delay. He further submits that petitioner nos. 1 and 3 have criminal antecedent and petitioner nos. 2 and 4 have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific over act against the petitioner nos. 2, 3 and 4, let the above named petitioner nos. 2, 3 and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Bagengola P.S. Case No. 87 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 1 is concerned, there is



specific allegation against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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