

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86809 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- CHEWARA District- Sheikhpura

1. Ajay Yadav @ Ajay Kumar Son of Jagdish Yadav Resident of Village- Chewara, P.S.-Chewara, District- Sheikhpura
2. Ravindra Yadav Son of Jagdish Yadav Resident of Village- Chewara, P.S.- Chewara, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Chewara P.S. Case No. 74 of 2024 instituted for the offences under Sections 191(2), 190, 126(2), 329(3), 329(4), 324(4), 115(2), 117(2), 109, 76, 303(2), 125(a), 125(b), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that all the accused persons including these petitioners came at the roof and started abusing and beating the informant. Thereafter, the accused persons entered the house of the informant and started assaulting the informant and her family members.



4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that the only specific allegation of assaulting Sajjan Yadav and Pramod Kumar is against petitioners nos. 1 and 2 respectively. Learned counsel further submitted that Sajjan Yadav sustained no injuries whereas the injuries sustained by Pramod Kumar are simple in nature. Learned counsel, therefore, contended that petitioners had no intention to commit the murder of the injured persons. It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.10.2024 and have no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the nature of injury as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners 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 Court below/concerned Court in connection with Chewara P.S. Case No. 74 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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