

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.644 of 2024

Arising Out of PS. Case No.-432 Year-2022 Thana- LAXMIPUR District- Jamui

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1. MUKESH YADAV S/O- BRAHMDEO YADAV R/O- VILL- KARIBA PATHAR, PS- LAXMIPUR, DIST- JAMUI.
 2. SHALIGRAM YADAV S/O- NARAYAN YADAV R/O- VILL- KARIBA PATHAR, PS- LAXMIPUR, DIST- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-04-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioners assaulted the informant and his son by means of several weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have one criminal antecedent.

5. Learned APP for the State opposed the prayer for



anticipatory bail and submits that there is specific allegation against the petitioner no.1 to assault the son of the informant due to which he sustained grievous injury.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, as there is general and omnibus allegation against the petitioner no.2, let the above named petitioner no.2, 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 Laxmipur P.S. Case No.432 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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