

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2902 of 2024

Arising Out of PS. Case No.-349 Year-2023 Thana- KATEYA District- Gopalganj

Sunil Yadav SON OF SURENDAR YADAV @ SUREN YADAV R/O
VILLAGE- KUKURBHUKA, P.S.- KATEYA, DIST.- GOPALGANJ

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 03-04-2024 Heard the learned counsel for the petitioner; *Mr. Dhramveer* assisted by *Ms. Priyadarshni Kumari*, learned counsel for the informant; *Shri Kumar Harshvardhan* and learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 147, 148, 149, 341, 324, 323, 307, 379, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, around 25 to 30 criminals including the petitioner surrounded the vehicle of the victim and started assaulting him and threatened the victim to leave the place by leaving his house and property.

4. It has been submitted by the learned counsel for the petitioner that petitioner is a member of a mob and there is



general and omnibus allegation against the petitioner as against others. Petitioner is in custody since 07.09.2023 and has clean antecedent.

5. Learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that the accused persons want to capture the property of the victim and in a planned manner intercepted the vehicle of the victim and assaulted the victim with various weapons including sword, rod etc. The victim has sustained 5 head injuries and his rib cage was broken. There are multiple injuries from hard blunt substance. He was admitted in B.R.D. Medical College, Gorakhpur and remained there for more than one month.

6. Learned A.P.P. has also vehemently opposed the prayer for bail and has submitted that these kind of criminals who want to capture the property of the victim should not be enlarge on bail.

7. I have considered the submissions of the parties.

8. The injured witness has supported the allegation apart from other witnesses. In such a serious case of assault by various weapons, the petitioner cannot argue that there is general and omnibus allegation him. All the member of the mob have assaulted the victim.



9. In these circumstances, I am not inclined to grant bail to the petitioner. Accordingly, *this application for regular bail is dismissed.*

10. The court below is directed to expedite the trial of the petitioner.

11. If the trial is delayed by the prosecution, petitioner may renew his prayer for bail.

(Sandeep Kumar, J)

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