

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2891 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- TILAUTHU District- Rohtas

1.

Deo Charan Yadav Son of Karmdeo Yadav Resident of Village - Rediya, P.S. - Tilauthu, District - Rohtas
2.

Hira Yadav @ Hiralal Kumar Son of Rajdev Yadav Resident of Village - Rediya, P.S. - Tilauthu, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Adv
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

212-02-2025

Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in the F.I.R. and apprehended their arrest in connection with Tilauthu P.S. Case No. 35 of 2024 registered for the offences punishable under Sections 137, 148, 323, 307, 504 and 506 of the Indian Penal Code.

3. The allegation against the petitioners is to assault informant alongwith other co-accused persons/family members by using iron rod etc. It is alleged that the physical



assault was made with an intention to cause death of the informant, where occurrence alleged to be arising out of previous enmities/neighborhood differences.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation against petitioner no. 1 is to hold the hand of informant only, during the course of occurrence in the background of the fact that allegation as to assault informant is available against 13 other named co-accused persons. It is submitted that allegation of assault is very much general and omnibus. It is submitted that allegation against petitioner no. 2 is to assault with iron rod near the eye and forearm of the informant causing its fracture, but from the injury report of the informant no such injury near eye was found and also forearm not appears to be fractured and as such it can be said safely that injury report of the injured/informant not appears in corroboration *qua* manner of assault and thus by also negating the intention to cause death on its face. While concluding the argument it is submitted that petitioners are men of clean antecedent.

5. Learned APP appearing on behalf of the State,



opposes the prayer for anticipatory bail.

6. In view of the aforesaid facts and circumstances and by taking note of the fact as injury report of the informant not appears corroborating with the manner of assault as alleged, accordingly both petitioners above named, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dehri, Rohtas/concerned trial court where the case is pending in connection with Tilauthu P.S. Case No. 35 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

