

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5947 of 2025

Arising Out of PS. Case No.-531 Year-2023 Thana- LAXMIPUR District- Jamui

Murari Yadav, Son of Late Brahmdeo Yadav, Resident of Village - Kurila, P.S.
- Gidhour (Laxmipur), District – Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel appearing on behalf
of the petitioner and learned Additional Public
Prosecutor appearing on behalf of the State.

2. The accused/petitioner is named in F.I.R.
and apprehending his arrest in connection with
Laxmipur P.S. Case No. 531 of 2023, registered for
the offences punishable under Sections 341, 323,
147, 379, 354, 308, 504 of the Indian Penal Code.

3. The allegation against the petitioner is
to assault informant and others alongwith family
members/co-accused persons with lathi, rod etc.
causing bodily and head injury, where alleged
occurrence arises out of neighbourhood disputes



and differences.

4. Learned counsel appearing on behalf of the petitioner submitted that allegation for physical assault is appearing very much general and omnibus against this petitioner, where upon medical examination, the nature of injury as caused upon injured found simple in nature. It is submitted that with almost similar allegation, the co-accused Ranjit Yadav was granted anticipatory bail by learned trial court itself but the prayer of anticipatory bail of this petitioner was rejected for the only reason that he found involved in two other cases, where he is on bail. It is submitted that if merit of case otherwise appears in favour of the petitioner, only on sole ground of criminal antecedent, the prayer of bail should not be rejected. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another**, reported in **(2020) 11 SCC 648**.

5. Learned APP opposes the prayer of bail.



6. Considering the aforesaid facts and circumstances and by taking note of fact as the allegation as to cause physical assault appears *prima facie* very much general and omnibus against this petitioner, where nature of injury appears simple, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Jamui/concerned Court, where the case is pending in connection with Laxmipur (Gidhur) P.S. Case No. 531 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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