

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12228 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- ATRI District- Gaya

Karu Yadav @ Rajesh Yadav S/O Late Dilchand Yadav R/O Vill.- Malhachak,
P.S.- Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-02-2025 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State as well as the
informant.

2. This is an application for grant of bail to the
petitioner, who is in custody in connection with Atri P.S. Case
No. 106 of 2024, registered for the offences punishable under
Sections 341, 323, 504, 308 and 34 of the Indian Penal Code.

3. Allegedly in course of ongoing programme in the
village, some dispute has arisen amongst the children resulting
into abusing and assaulting at the hands of the petitioner and
others. It is specifically alleged that the petitioner along with
other co-accused persons have assaulted the informant and his
family members due to which they sustained injuries.

4. Learned Advocate for the petitioner contended that
there is omnibus nature of allegation and moreover the genesis



of occurrence is said to be a dispute between the children. The injuries sustained to the informant and other family members have been found to be simple in nature, except one which is said to be serious in nature. It is next contended that co-accused persons having more or less identical allegation, they have been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 89295 of 2024 vide order dated 08.01.2025. The petitioner has been incarcerated since 16.10.2024 having fair antecedent.

5. On the other hand, learned APP for the State and the informant vehemently oppose the bail application and submit that the petitioner along with others have brutally assaulted the uncle of the informant, who is septuagenarian.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the nature of injury and the fact that other co-accused persons have been accorded the privilege of anticipatory bail, coupled with the fair antecedent of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Atri



P.S. Case No. 106 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

Anjani/-

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

