

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21850 of 2025

Arising Out of PS. Case No.-1268 Year-2023 Thana- SHERGHATI District- Gaya

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1. Devraj Yadav S/o Aditya Yadav R/o - Baiju Bigha, P.S.- Gurua, Distt.-Gaya (Bihar)
 2. Kamlesh Yadav S/o Aditya Yadav R/o - Baiju Bigha, P.S.- Gurua, Distt.-Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-04-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sherghati Police Station Case No. 1268 of 2023, dated 23.12.2023, disclosing offences punishable under Sections 147/148/149/341/323/324/325/307/354-B/448 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 23.12.2023, the petitioners, along with other accused persons, total sixteen in number, armed with lathi, danda, iron-rod, sword, rifle etc., assaulted the informant and other family members, due to which they



sustained multiple injuries. It has further been alleged that the petitioner no. 1 assaulted the informant by butt of the rifle and the petitioner no. 2 assaulted the informant's father with iron-rod.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to village politics and previous enmity. One Sherghati Police Station Case No. 625 of 2022 was lodged against the petitioner no. 1 and the present First Information Report has been lodged on concocted story, giving the colour that the petitioners and others pressurized the informant's side to withdraw or enter into compromise in Sherghati Police Station Case No. 625 of 2022. A counter case has been lodged by the petitioners, bearing Sherghati Police Station Case No. 1281 of 2023 against the informant. Though the injuries have been discussed in the impugned order, but it has not been described as grievous/serious in nature.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties have previous enmity, case and counter case is there and from the impugned order, it does not appear that the injuries caused to the victims are grievous



in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Sherghati, in connection with Sherghati Police Station Case No. 1268 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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