

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21973 of 2025

Arising Out of PS. Case No.-28 Year-2023 Thana- SHAMBHUGANJ District- Banka

1. Jaymala Devi W/O Niranjana Yadav Resident of Village - Bela, P.S.- Shambhuganj, Dist.- Banka
2. Ghoro Yadav @ Dharmendra Yadav @ Dhamendra Yadav S/O Late Adhiklal Yadav Resident of Village - Bela, P.S.- Shambhuganj, Dist.- Banka
3. Niranjana Yadav S/O Satana Yadav @ Sattan Yadav Resident of Village - Bela, P.S.- Shambhuganj, Dist.- Banka
4. Ajit Yadav @ Ajit Kumar S/O Niranjana Yadav Resident of Village - Bela, P.S.- Shambhuganj, Dist.- Banka
5. Bablu Kumar S/O Niranjana Yadav Resident of Village - Bela, P.S.- Shambhuganj, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.,P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Shambhuganj P.S. Case No. 28 of 2023 lodged on 27.01.2023, for the offence punishable under Sections 341, 323, 379, 447, 325, 504, 506 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioners against whom there is an allegation that they have assaulted the informant and his family members by *lathi*, *danda*, *khanti* and iron rod and the accused person also snatched golden chain from



the informant's side. And charge-sheet has been filed against the petitioners under Sections 341, 323, 447, 308, 325, 504, 506 & 34 of the Indian Penal Code.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that police has intimated the accused persons under section 41(1) of the Cr.P.C. and accused persons appeared and supported in the investigation and subsequently, charge sheet has been filed under different sections. Counsel submits that petitioners and informant are resident of same village and well known to each other and there is land dispute going on between them and it is due to this reason, names of all the family members have been inserted in this case. Counsel further submits that petitioners have no criminal antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the bare reading of the FIR, it transpires that there is allegation against petitioner no.4 to assault on the informant's wife on her head by *khanti* due to which she sustained injuries. And there is also allegation against petitioner no.5 to assault on informant's son on his head



by iron rod due to which he was also badly injured.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner no.1 namely, Jaymala Devi, petitioner no.2 namely, Ghiro Yadav @ Dharmendra Yadav @ Dhamendra Yadav and petitioner no.3 namely, Niranjana Yadav be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 28 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. So far as bail applications of petitioner no.4 namely, Ajit Yadav @ Ajit Kumar and petitioner no.5 namely, Bablu Kumar are concerned, this Court is not inclined to grant bail to them. Accordingly, the prayer for anticipatory bail of the petitioner nos.4 & 5 are hereby rejected.

(Dr. Anshuman, J)

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