

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25546 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- ITARHI District- Buxar

1. Brajesh Yadav S/o- Suresh Yadav Village- Nathpur Ps- Itarhi Dist- Buxar
2. Aman Yadav S/o- Rangnath Yadav Village- Nathpur Ps- Itarhi Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Pathak, Advocate
For the State	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Amit Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel representing the informant.

2. The petitioners apprehend their arrest in connection with Itarhi P.S. Case No. 26 of 2025 for the offence registered under Sections 191(2), 190, 329(4), 126(2), 115(2), 109, 352, 351(2) of the B.N.S. lodged on 11.02.2025 by the informant Tarkeshwar Yadav.

3. As per the prosecution story, the informant alleged that when he was at his home sitting with sister-in-law, the accused armed variously came and;

(i) Suresh Yadav gave iron rod blow to Sita Devi causing injury;



(ii) Vijay Shankar Yadav assaulted the informant by iron rod;

(iii) Brajesh Yadav and Aman Yadav (petitioners herein) again assaulted Sita Devi by the butt of country made pistol causing further injury on her injured head;

(iv) Inamati Devi, Babita Devi, Rita Devi and Priyanka Kumari assaulted unconscious Sita Devi;

(v) Aman and Brajesh tried to shot the informant but as the neighbours assembled, they escaped;

Sita Devi was shifted to Itarhi Hospital and then to Sadar Hospital, Buxar.

4. Learned counsel for the petitioners submits that only to implicate, each and every family members have been rounded of in the FIR, both the petitioners have no criminal antecedent and earlier, the injury of Sita Devi was found to be simple in nature but later, it turned grievous.

5. Learned counsel for the informant, on the other hand, has taken this Court to the supplementary affidavit which shows that both the injuries on Sita Devi, amongst others inflicted by these two petitioners have been found to be grievous in nature and it has also been recorded by the learned Sessions Judge in his detailed order.



6. Considering the allegation that has come against the two petitioners of having assaulted a lady who was already injured by earlier blow of other accused, the injuries have been found to be grievous in nature, in this background, this Court is not inclined to grant them the anticipatory bail.

7. The anticipatory bail application stands rejected.

8. If the petitioners surrender within a period of four weeks, the Court concerned shall take up the matter and dispose it of preferably on the same day.

9. Before parting, this Court would like to put on record its word of appreciation for Mr. Amit Kumar Pandey for the assistance rendered in the present case

(Rajiv Roy, J)

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