

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39300 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- SHAMBHUGANJ District- Banka

1. Mahesh Yadav S/O Shree Yadav Resident Of Village- Asouta, P.s.- Shambhuganj, Dist.- Banka.
2. Doman Yadav S/O Sumit Yadav @ Subhit Yadav Resident Of Village- Asouta, P.s.- Shambhuganj, Dist.- Banka.
3. Kailash Yadav S/O Shree Yadav Resident Of Village- Asouta, P.s.- Shambhuganj, Dist.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-07-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 447, 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons including these petitioners entered the house of informant and assaulted on the head of her husband with butt of gun, *lathi*, masket.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have committed no



offence. As a matter of fact, present case is counter blast of Shambhuganj P. S. Case No. 28 of 2024. Allegation of assault is general and omnibus and there is no specific accusation of overt act against petitioners. Petitioners claim clean antecedent.

5. However, learned A.P.P. for the State opposed the bail application and submits that there is specific accusation that petitioner No. 1 assaulted the husband of informant causing grievous injury.

6. In view of the fact that petitioner No. 1 caused grievous injury, **prayer for anticipatory bail of petitioner No. 1 is refused.** However, considering the nature of accusation against petitioner Nos. 2 & 3, the **anticipatory bail with regard to petitioner Nos. 2 & 3 is allowed** and it is ordered that the above named petitioner Nos. 2 & 3 in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Shambhuganj P. S. Case No. 30 of 2024, subject to condition as laid down under Section 482(2) of



the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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