

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71645 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- BARACHATTI District- Gaya

1. Dilip Kumar @ Dilip Yadav Son of Kuleshwar Yadav R/O Vill.- Kendua, P.S.- Fatehpur, Dist.- Gaya.
2. Sudhir Kumar @ Sudhir Yadav Son Of Brahamdeo Yadav R/O Vill.- Kendua, P.S.- Fatehpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

3 11-02-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in a case instituted for the offence punishable under Sections 341, 342, 323, 363, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Prosecution case in nutshell is that petitioners along with other co-accused persons, armed with Hockey stick, forcefully took the informant into a Scorpio vehicle and assaulted him with intent to kill, due to which he sustained injuries. It is further alleged that they also snatched Rs. 5,000/- (five thousand rupees) and a mobile from the possession of the



informant and left him in unconscious condition.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. In the background of personal vendetta, the present case has been lodged against them. There is no specific allegation against the petitioner rather the allegation levelled against them in general and omnibus in nature. There is inordinate delay of three days in lodging the F.I.R. It is further submitted that the injury received by the informant is simple in nature.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the above facts and circumstances of the case and considering the fact that injury report of the injured Prince Kumar, as mentioned in para 35 of the Case Diary, suggests that there is no significant injury and the injury/pain sustained by him is simple in nature and caused by hard and blunt substance, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Barachatti (Mohanpur) P.S. Case no. 28 of



2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Sherghati, Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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