

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86708 of 2024

Arising Out of PS. Case No.-878 Year-2022 Thana- BARACHATTI District- Gaya

1. Dhiraj Kumar Adhir Son of Mohan Yadav
2. Ajay Yadav Son of Late Jamahir Yadav
Both resident of village- Guriyawan Tola Shiho, P.S.- Mohanpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-05-2025 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Barachatti (Mohanpur) P.S.Case No.878 of 2022 registered for
the offences punishable under Sections 341, 323, 307 and
504/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, the
petitioners along with the co-accused assaulted the informant
and his son, as a result, they sustained head injury.

4. Learned counsel appearing on behalf of the
petitioners submitted that there is case and counter case
between the parties and only to put pressure upon the



petitioners, the present case has been lodged by the informant. The allegation of assault, as alleged in the FIR, is against the petitioner no.1. So far as petitioner no.2 is concerned, there is there is general and omnibus allegation against him.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that there is general and omnibus allegation against the petitioner no.2 (Ajay Yadav), he is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 2nd, Sherghati (Gaya)/concerned court, in connection with Barachatti (Mohanpur) P.S.Case No.878 of 2022, subject to conditions as laid down under Section 482(2) of BNSS of 2023.

7. So far as petitioner no.1 (Dhiraj Kumar Adhir) is concerned, the learned district court is directed to verify the injury report of the injured and if he finds that the injury is simple in nature, the petitioner no.1 may be released on pre-arrest bail in connection with Barachatti (Mohanpur) P.S.Case



No.878 of 2022 on usual terms and conditions as laid down under Section 482(2) of BNSS of 2023.

8.The learned district court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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