

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83168 of 2024

Arising Out of PS. Case No.-282 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Surendra Yadav Son of Babulal Yadav Resident of Village - Kathautiya, P.S. - Muffassil, District - Gaya
2. Jitendra Kumar Son of Sivi Yadav Resident of Village - Kathautiya, P.S. - Muffassil, District - Gaya
3. Chandan Kumar Son of Samundra Yadav @ Samundar Yadav Resident of Village - Kathautiya, P.S. - Muffassil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Heard learned counsel for the petitioners, learned counsel for the Informant and learned APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354, 307, 427, 447 and 504/34 of the Indian Penal Code.

3. The allegation in the FIR is that five accused persons including the present petitioners came at the shop of his nephew and forced him to smoke cigarette and upon objection raised by him, they assaulted him and burnt his body with cigarette. Further, allegation is that they also came to the house of the informant and assaulted the informant and one Bhola Shanker



with lathi, danda, rod and other deadly weapons.

4. Learned counsel for the petitioners submits that it would be apparent from the FIR itself, that there was a dispute between the parties with regard to playing songs at the D.J and it is only due to that reason, the occurrence had taken place. However, the allegations of assault are confined to petitioner no. 2 and 3 so far as the petitioner no. 1 is concerned, there is no specific allegation of assault upon him.

5. Learned counsel for the Informant and learned APP however opposes the grant of anticipatory bail on the ground that there are specific allegation of assault on petitioner nos 2 and 3 and the injury report of Bhola Shankar also shows that there are two injuries on his person caused by hard and blunt substance and one of the injury is also grievous in nature.

6. Considering the aforementioned facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner nos. 2 and 3 and hence the application on behalf of petitioner nos. 2 and 3 stands rejected.

7. However, considering the facts that there is no specific allegation of assault upon the petitioner no. 1 namely, Surendar yadav, let in the event of his arrest/ surrender within a period of four weeks from today, the petitioner no. 1 be released on bail



on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Muffasil P.S.Case No. 282 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C

(Soni Shrivastava, J)

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