

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84033 of 2024

Arising Out of PS. Case No.-277 Year-2024 Thana- PUNPUN District- Patna

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1. Baiju Yadav, S/O Ram Sewak Yadav, Resident of Village- Nuruddinpur, P.S.- Punpun, District- Patna
 2. Dharmendra Kumar, S/O Ram Sewak Yadav, Resident of Village- Nuruddinpur, P.S.-Punpun, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheonandan Pandit, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-03-2025 Heard Mr. Sheonandan Pandit, learned counsel for the petitioners, learned counsel for the informant and Mr. Syed Ehteshamuddin, learned APP for the State.

2. Learned counsel for the petitioner has submitted that due to clerical error anticipatory bail has been typed in paragraph 1 of the bail petition instead of regular bail. He may be permitted to correct the same during course of the day.

3. Permission is accorded.

4. The petitioners have prayed for bail in connection with Punpun P.S. Case No.277 of 2024 registered for the offence punishable under Sections 126(2), 118(1), 109, 351, 352 and 3(5) of the B.N.S.



5. The case of the prosecution is that on 01.09.2024 at about 7 A.M. the informant went to the house of his co-villager Ram Sewak Yadav to ask with regard to motor theft and meanwhile, all the accused persons including the petitioners started abusing the informant and his brother. It is further alleged that they started assaulting the informant and his brothers with iron rod due to which the informant's brother was badly injured and fell down. On alarm being raised, villagers arrived, the brother was treated at private hospital in unconscious condition.

6. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. It is further submitted that from perusal of the F.I.R, it will transpire that the nature of allegation is general and omnibus. During course of investigation, the witnesses who have been examined, most of them have stated that Ram Sewak Ram has assaulted with iron rod on the head of the injured namely, Sudhir Kumar. Sudhir Kumar has also given his statement before the police and he has categorically stated that Ram Sewak Ram assaulted him with iron rod. The main Thrust of allegation is against Ram Sewak Ram. A statement has been



made in para 3 of the petition that petitioners have no criminal antecedent. They are languishing in judicial custody since 30.09.2024.

7. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, Patna in connection with Punpun P.S. Case No.277 of 2024.

(Ashok Kumar Pandey, J)

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