

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85479 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- SHERGHATI District- Gaya

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1. Sanju Yadav Son of Jamuna Yadav Resident of Village - Udhan Bigha, P.S. - Sherghati, District - Gaya
 2. Surendra Yadav @ Surendra Kumar Yadav Son of Jamuna Yadav Resident of Village - Udhan Bigha, P.S. - Sherghati, District - Gaya
 3. Jitendra Yadav Son of Jaddu Yadav @ Yaddu Yadav Resident of Village - Udhan Bigha, P.S. - Sherghati, District - Gaya
 4. Jamuna Yadav Son of Late Mohan Yadav Resident of Village - Udhan Bigha, P.S. - Sherghati, District - Gaya
 5. Jadu Yadav @ Yaddu Yadav Son of Late Mohan Yadav Resident of Village - Udhan Bigha, P.S. - Sherghati, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sherghati Police Station Case No. 236 of 2024, dated 30.04.2024, disclosing offences punishable under Sections 341/323/325/354/379/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 29.04.2024, at about 7 PM, while the informant



was returning from his field, he was surrounded by co-accused Raja Yadav and other accused persons, including the petitioners, and co-accused Raja Yadav assaulted the informant by means of iron-rod, due to which he sustained injury on his head and thereafter the petitioners and other co-accused persons also assaulted him by means of lathi and iron rod. The accused persons also snatched gold chain, torn the saree and blouse of Chinta Devi.

4. Learned Counsel for the petitioners submits that both the parties are agnates and they have been made accused due to previous enmity. The side of the petitioners has lodged Sherghati Police Station Case No. 235 of 2024 against the informant and others, which is prior in time to the present First Information Report, for an offence which has taken place on the same date and time. The present First Information Report is the counter blast of the First Information Report lodged by the side of the petitioners. The allegation against the petitioners is general and omnibus in nature and specific allegation of assault upon the informant is against co-accused Raja Yadav.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that both the parties are agnates, having previous dispute, there is general and omnibus allegation against the petitioners and specific allegation of assault is upon co-accused Raja Yadav, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Sherghati, at Gaya, in connection with Sherghati Police Station Case No. 236 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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