

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87976 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- LAKHISARAI District- Lakhisarai

1. Bhushan Yadav @ Vivekanand Son of Late Khublal Yadav Resident of Village- Vrindavan, P.S. Kiul, District Lakhisarai
2. Dhano Yadav @ Dhanish Yadav Son of Jaleshwar Yadav @ Jalo Yadav Resident of Village- Vrindavan, P.S. Kiul, District Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-01-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of two cases and the informant alleges that he received an information at 02:00 AM on 05.01.2024 that his brother Binny Kumar is lying injured at the doors of Jaleshwar @ Jalo Yadav, accordingly, the informant reached the place of occurrence along with his family members and saw his brother



lying in an injured condition having injury on head and blood was oozing from his nose and was lying unconscious, thus, alleges that the accused persons including the petitioners assaulted his brother with an intention to kill.

4. Learned counsel for the petitioners submits that informant is not an eye witness to the occurrence, it is next submitted that allegation of assault is general and omnibus in nature. It is also submitted that it absolutely does not stand to reason that as to why the injured had come to the house of petitioner no. 2 at 02:00 AM. It is next submitted that injured and Mausam Kumari were in love and the injured had come to meet her when the family members came to know about the same, as such, he tried to escape and while escaping he fell from the roof. It is further submitted that the injury suffered by the injured is simple in nature except the one suffered on nose, but then the allegation of assault is not specific.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned trial court where
the case is pending/successor court in connection with Kiul P.S.
Case No. 02 of 2024 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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