

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86203 of 2024

Arising Out of PS. Case No.-455 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

1. Bindeshwari Yadav @ Netajee S/o Late Babuchand Singh Residents of Village - Bala Bigha , P.S - Makhdumpur , District - Jehanabad
2. Ravi Raushan Kumar S/o Vinay Kumar Residents of Village - Bala Bigha , P.S - Makhdumpur , District - Jehanabad
3. Bipin Kumar S/o Sujeet Kumar Residents of Village - Bala Bigha , P.S - Makhdumpur , District - Jehanabad
4. Shubham Kumar S/o Sujeet Kumar Residents of Village - Bala Bigha , P.S - Makhdumpur , District - Jehanabad
5. Vinay Kumar S/o Bindeshwari Singh Residents of Village - Bala Bigha , P.S - Makhdumpur , District - Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Ms. Anuradha, Advocate

For the State : Mr. Pramod Ram, Advocate
Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Makhdumpur PS. Case No.455 of 2024 Dated-19.09.2024, registered for the offences punishable under Sections 329(4), 109, 74, 115(2), 126(2), 352, 3(5) of the B.N.S. Act, 2023.

3. As per allegation, all the accused persons including the petitioners have assaulted the informant and her son and



daughter resulting into injury.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. She further submits there is land dispute between the parties and previous enmity. She further submits that the allegation against all the accused persons including the petitioners is general and omnibus in nature. There is no specific allegation against any of them. Moreover, the injury, as allegedly caused by the accused persons, is simple in nature and she has annexed a typed copy of the injury report along with petitioner. As per the medical opinion, the injury caused to the victim is simple in nature. She further submits that as per the FIR, despite the accused persons having pistol in their hands, have not fired at the victims. It shows that they have no intention to cause death to the alleged victims. As such, attempt to murder is not made out and other alleged offences are not serious in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have been made accused in two



other cases in which they are on bail.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Jehanabad, in connection with Makhdumpur PS. Case No.455 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the
petitioners.

(Jitendra Kumar, J.)

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