

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89295 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- ATRI District- Gaya

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1. Shiv Kumar Yadav, Son of Karu Yadav @ Rajesh Yadav, Resident of Village - Malhachak, P.S. - Khizersarai, District- Gaya.
 2. Ravindra Yadav @ Sohrai Yadav @ Ravindra Kumar, Son of Rajendra Yadav, Resident of Village - Malhachak, P.S. - Khizersarai, District- Gaya.
 3. Tarun Yadav, Son of Munirika Yadav, Resident of Village - Malhachak, P.S. - Khizersarai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-01-2025 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. The petitioners apprehend their arrest in connection
with Atri P.S. Case No. 106 of 2024, registered for the offences
punishable under Sections 341, 323, 504, 308 and 34 of the
Indian Penal Code.

3. In course of an ongoing programme in the village,
some dispute has arisen amongst the children resulting into
abusing and assaulting at the hands of the petitioners and others.
It is specifically alleged that the petitioners alongwith others



assaulted the informant and his family members, due to which they sustained injuries.

4. Learned Advocate appearing on behalf of the petitioners contended that the FIR has been instituted under Section 308/34 and other allied sections of the Indian Penal Code with an omnibus nature of allegation against all the accused persons. It is further contended that the injuries sustained to the informant and other family members have been found to be simple in nature, moreover, there is no specific allegation, much less, the injuries have not been attributed to the petitioners. The petitioners are men of fair antecedent and, in fact, on account of a trifle, some scuffle took place, resulting into injuries to persons of both the sides. The alleged occurrence took place on 27.03.2024 at about 04:00pm in the evening and the FIR has been instituted on 28.03.2024 at about 02.20pm. The delay has also not been explained.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation coupled with the simple nature of injuries as submitted by the petitioners coupled with their fair antecedent,



let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 106 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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