

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87552 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- Babarganj District- Bhagalpur

1. Sikander Yadav S/o- Arvind Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
2. Nayan Yadav S/o- Gudu Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
3. Piyush Yadav S/o- Gudu Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
4. Saurabh Yadav S/o- Jitan Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
5. Gulshan Yadav S/o- Jitan Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
6. Dil Khush Yadav S/o- Dhari Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
7. Sagar Yadav S/o- Kishore Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
8. Bauna Yadav S/o- Late Jogi Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
9. Amit Yadav S/o- Vinay Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari
10. Lakshman Yadav @ Hritik Yadav S/o- Arvind Yadav Village- Chaudharidih,Ps- Babarganj, Dist- Bhagalpur, Bihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, A.P.P.
For the Informant : Mr. Ashutosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-01-2025 Heard learned counsel for the petitioners, informant
and the State.

2. Petitioners apprehend arrest in a case registered for
the offences punishable under Sections 191(2), 191(3), 115(2),



118(1), 117(2), 118(2), 109 of the Bharatiya Nyaya Sanhita, Section 3 of the Explosive Substances Act and Section 27 of the Arms Act.

3. As per prosecution case, on 09.09.2024 at about 11:30 PM, all the F.I.R. named accused persons including these petitioners were creating nuisance and when informant came out of the house and objected, all of them brutally assaulted informant and his son with deadly weapons, threw bombs and fired shots due to which they sustained severe injuries. It is further alleged that the accused persons also threatened to kill the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. As a matter of fact, on the auspicious day of Janmashtami, an orchestra was organized in which son of the informant came in drunk condition and misbehaved with the women performing on stage which led to an occurrence of *maar-peet* between the parties. Case and counter case. Allegation against the petitioners is general and omnibus and there is no allegation of specific overt act against these petitioners. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State and learned counsel for



the informant vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class cum AM-VI, Bhagalpur in connection with Babarganj P. S. Case No. 97 of 2024, subject to condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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