

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.201 of 2025

Arising Out of PS. Case No.-765 Year-2023 Thana- SAUR BAZAR District- Saharsa

1. Prabhu Yadav Son of Kaniklal Yadav Resident of Village- Khajuri, Ward No. 12, P.S.- Baijnathpur and Dist.- Saharsa
2. SHAMBHU YADAV KANIKLAL YADAV KHAJURI WARD NO 12 BAIJNATHPUR SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-03-2025 Heard the parties.

2. The petitioners are in judicial custody in connection with Saur Bazar (O.P. Baijnathpur) P.S. Case No. 765/2023 instituted under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code lodged on on 03.12.2023 by the informant, Suresh Yadav.

3. As per the prosecution story, the informant alleged that the accused persons including these two petitioners, Prabhu Yadav and Shambhu Yadav came and informed that their son, Ashish Kumar has challenged them earlier. Upon the informant's wife trying to pacify the matter, the allegation is that petitioner no.1, Prabhu Yadav gave iron rod blow on the head of the wife of the informant. When the daughter came to rescue, the ladies assaulted her. Further, when Ashish Kumar came, Shambhu Yadav gave repeated Khanti blow on his mouth and



head causing serious injuries. They rushed to Sadar Hospital, Saharsa and later to PMCH, Patna in an unconscious position. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that both are agnates and small scuffle took place in which the injury has been exaggerated. They are now in custody and the charge-sheet stands submitted.

5. Learned APP on the other hand submits that the petitioner no.1 gave iron rod blow on the head of the wife of the informant whereas the petitioner no.2 gave 'khanti' blow on the mouth of his son causing injury to both of them. They were rushed to the Sadar Hospital, Saharsa and later to PMCH, Patna in an unconscious position.

6. Considering the allegation that has been attributed to these two petitioners as also the injuries which led to both the wife and son of the informant being rushed to PMCH, Patna in an unconscious position, for the present, this Court is not inclined to extend them the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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