

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20867 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- ATRI District- Gaya

1. Surendra Yadav son of Late Devnand Yadav @ Devnandan Yadav Resident of Village- Imaliyachak PS- Atri, Dist- Gaya
2. Sobha Devi Wife of Surendra Yadav Resident of Village- Imaliyachak PS- Atri, Dist- Gaya
3. Navin Kumar Son of Surendra Yadav Resident of Village- Imaliyachak PS- Atri, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Adv

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 13-01-2026 Heard the parties.

2. The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Atri P.S. Case No. 146 of 2024 registered for the offences punishable under Sections 147, 341, 323, 325, 379, 307, 504, 506 and 34 of the Indian Penal Code.

3. As per FIR, petitioners along with other co-accused persons assaulted informant and other by using *lathi* and iron rod causing fracture in the right hand, injury on head and other bodily parts of the informant. Other family members of the informant also alleged to received injuries during the occurrence which was alleged with an intention to cause death, alleged



occurrence took place in the background of land dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that present occurrence took place in the background of land dispute and through FIR informant raised allegation as to assault on the right hand of the informant by using *lathi* causing fracture, but upon perusal of restatement as available in para no. 8 of the case diary, it appears that allegation of physical assault is appearing very much general and omnibus in nature as it was stated that during the occurrence his right hand was fractured without stating any specific allegation as stated through FIR *qua* these petitioners. While concluding the argument learned counsel submitted that all petitioners are of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as allegation *qua* physical assault as stated through restatement as discussed aforesaid having deviations with the allegations of FIR with same author/injured, accordingly all above named petitioners, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya/concerned trial court where the case is pending in connection with Atri P.S. Case No. 146 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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