

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8013 of 2017**

Arising Out of PS.Case No. -238 Year- 2016 Thana -SURYAGARHA District- LAKHISARAI

- =====
1. Pawan Yadav
  2. Amir Yadav, Both Sons of Tanik Yadv,
  3. Karan Kumar, S/o Amir Yadav @ Shraban Yadav, All are resident of Village- Alinagar, Police Station- Surajgarha, District- Lakhisarai.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Jainendra Kumar, Advocate

For the Opposite Party : Mr. Pawan Kumar Chaurasiya (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

3      16-03-2017                      Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Surajgarha P.S. Case No. 238 of 2016, registered for the offences punishable under Sections 341, 342, 323, 385, 387, 307/34 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused tied the hands and mouth of the informant and they were saying to take away the informant at Kajra Hill to demand ransom of Rs. 2,00000/- from the father of the informant and as soon as the tempo reached near Alinagar hotel, other co-accused were watching with illegal weapon and when the informant tried to flee



away then Ajit Yadav and Murari Yadav starting assaulting him with iron rod and Ajit Yadav pointed a pistol. The petitioner Karan Kumar assaulted with sharp edged weapon on his head causing bleeding.

Submission is of false implication and that no injury of sharp edged weapon has been found on the person of the informant, all the injuries were caused by hard and blunt substance and simple in nature, during investigation independent witnesses vide para 22, 23 and 24 of the case diary have stated that there was dispute regarding fare of the tempo and for that the occurrence has taken place. There is case and counter case, the petitioner Karan Kumar has also lodged case and, as such, the petitioners deserve sympathetic consideration, as against Pawan Yadav and Amir Yadav there is no allegation for causing injury to the informant and during investigation the allegation for demanding ransom was found false.

The learned A.P.P. fairly submits that the aforesaid witnesses have not supported the prosecution version.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Surajgarha P.S. Case No. 238 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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