

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46798 of 2019**

Arising Out of PS. Case No.-93 Year-2019 Thana- NAVINAGAR District- Aurangabad

1. Avilakh Yadav, Son of Late Bhichhan Yadav Resident of Village-Mahuwan, P.S.-Nabinagar (Badem O.P.), District-Aurangabad.
2. Ravi Kumar @ Ravi Ranjan Kumar Son of Avilakh Yadav Resident of Village-Mahuwan, P.S.-Nabinagar (Badem O.P.), District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      29-07-2019                      Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.1 Avilakh Yadav, as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.1 Avilakh Yadav is dismissed as withdrawn.

Heard learned counsel appearing on behalf of petitioner No.2, namely, Ravi Kumar @ Ravi Ranjan Kumar and the learned A.P.P. for the State.

The petitioner No.2 apprehends his arrest in connection with Nabinagar (Badem O.P) P.S. Case no. 93 of 2019, registered under Sections 341, 323, 324, 325, 307, 354,



504, 506 and 379/34 of the Indian Penal Code and Section 3/4 of the Daain Act.

The accusation is that five persons named in the F.I.R. including the petitioner No.2 Ravi Kumar having armed with Lathi, Danda and iron rod came at the door of the informant Roushan Kumar @ Golu and started to abuse and caused assault to the mother of the informant. At that time, Avilakh Yadav and petitioner No.2 caused injury through lathi and iron rod at the head of the mother of the informant as a result thereof she fell down. Thereafter, Chinta Devi and Dharmshila Devi also caused injury to the mother of the informant through leg. When informant and his brother Chhotu Kumar tried to save his mother, then Ravi Kumar (Petitioner No.2) caused injury through lathi to him and Avilakh Yadav caused injury through iron rod at the head of Chhotu Kumar. At that time, Chinta Devi snatched golden Mangalsutra and Jitiya and Dharmshila Devi snatched golden ear ring from the neck and ear of mother of the informant.

Learned counsel appearing on behalf of the petitioner No.2 submits that Avilakh Yadav and father of the informant are own brother and occurrence took place due to some quarrel between the ladies in which mother of the



informant fell down and sustained injury, but the whole family members of the petitioner have falsely been implicated in this case. Further submission is that petitioner has no criminal antecedent and he is a student of BCA.

Having regard to the facts and circumstances of the case, let the above named petitioner No.2, namely, Ravi Kumar @ Ravi Ranjan Kumar, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Nabinagar (Badem O.P) P.S. Case No. 93 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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