

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.59329 of 2019

Arising Out of PS. Case No.-150 Year-2019 Thana- CHAUSA District- Madhepura

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1. LALU YADAV Son of Ambika Yadav Resident of Fulout (Barikhal), P.S.- Chousa(Pulout), District- Madhepura.
 2. Chandra Shekhar Kumar Yadav Son of Salendra Yadav Resident of Village- Saidpur, P.S.- Mansi, District- Khagaria.
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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate

Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 01-10-2019 Heard the learned senior counsel for the petitioners and the learned A.P.P. for the State.

The present petition has been filed for grant of regular bail on behalf of the petitioners in connection with Chousa (Pulout) P.S. Case No. 150 of 2019 registered for the offence punishable under Sections 341, 323, 379, 385, 504/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having stopped the tractor of the informant, whereafter they had unloaded the bags of maize from the tractor as also had threatened the informant to pay the dues, failing which they would also take away the tractor.

The learned senior counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case and in fact the petitioner no. 1 had lodged a prior case bearing Chousa (Pulout) P.S. Case No. 150



of 2019 against the informant of this case and there is business rivalry amongst them and also there is some dispute with regard to exchange of money in between the informant of the present case and the petitioners herein, hence, with mala fide intention, the present case has been lodged. It is further submitted that neither any recovery has been made from the possession of the petitioners or their house. It is also submitted that as far as the petitioner no. 1 is concerned, he is an accused in two case, however, he is on bail in the said two cases and as far as the petitioner no. 2 is concerned, he is an accused in one case and he is on bail in the said case. Lastly, it is submitted that the petitioners are languishing in custody since 05.06.2019.

Having regard to the facts and circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioners, above named, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chousa (Pulout) P.S. Case No. 150 of 2019.

(Mohit Kumar Shah, J)

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