

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12788 of 2020

Arising Out of PS. Case No.-144 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

1. Sonu Yadav @ Sonu Kumar Yadav, S/o Deva Nand Yadav Resident of Village- Arjunpur, P.S.- Buxar (Ind.), Distt- Buxar.
2. Jitendra Yadav @ Jitendra Kumar Yadav S/o Late Indra Jeet Yadav Resident of Village- Arjunpur, P.S.- Buxar (Ind.), Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 15-09-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Buxar (Industrial Area) P.S. Case no. 144 of 2019, registered under Sections 147, 149, 341, 323, 379, 307, 504 and 506 of the Indian Penal Code.

The accusation is that on 25.09.2019, the informant Manju Yadav was serving fodder to the cattle at Ganga Bandha, where his son Rakesh Yadav was cutting fodder from fodder machine, at that time, six persons named in the F.I.R., including the petitioners, variously armed with weapons, came there and started to abuse him giving threatening to kill. Thereafter, both



petitioners Sonu Yadav and Jitendra Yadav caused injury through lathi to his son in which he sustained grievous injury and fell down. When his daughter Puja Kumari rushed to save his son then Jitendra Yadav (Petitioner No.2) caused injury through lathi at her head. The informant, anyhow, fled away from there to save his life. Thereafter, all the accused, including Nirmala Devi and Gita Devi, entered in his house and caused assault to Renu Devi and Bindu Devi, daughter-in-laws' of the informant. At that time, Sonu Yadav (Petitioner No.1), Devanand and Monu Yadav took away box containing ornaments.

Learned counsel for the petitioners submits that petitioners are co-villager and Gotia of the informant and due to petty dispute, hot talks were exchanged in which slight injuries sustained by both sides, but with ulterior motive the informant lodged the present case with false allegation after four days of the occurrence on 29.09.2019. Buxar (Ind.) P.S. Case No. 157 of 2019 registered under Sections 147, 148, 149, 323, 341, 379, 354, 504, 506 and 325 of the I.P.C. has also been filed on behalf of petitioner against the informant and others. Moreso, the injuries as found on the person of Rakesh Yadav and Puja Kumari, son and daughter of informant, respectively,



are simple in nature as detailed in paragraph Nos. 78 and 79 of the case diary. Further submission is that the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (Industrial Area) P.S. Case No. 144 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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