

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21389 of 2020**

Arising Out of PS. Case No.-346 Year-2017 Thana- GHOSI District- Jehanabad

1. ANUJ YADAV S/o- Late Bhola Yadav R/o - Damaua, P.S.- Ghosi, District- Jehanabad.
2. Karu Yadav S/o- Anuj Yadav R/o - Damaua, P.S.- Ghosi, District- Jehanabad.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 02-07-2020 Learned counsel for the petitioners undertakes to remove the defects, as pointed out by office, within three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned APP for the State.

Petitioners, in the present case, are seeking regular bail in connection with Ghosi P.S. Case No. 346 of 2017 registered under Sections 341, 447, 448, 323, 504, 379, 207/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case due to local village politics and personal grudge of the informant. The petitioners have remained in custody since



15.11.2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the allegations against the petitioners are that they had assaulted the informant and his mother and father as also brother causing injuries, however, it is the submission of learned counsel for the petitioners that the petitioners have remained in custody for more than seven months by now and in paragraph '14' of the application it is stated that all the injured persons after getting the medical treatment are fit living safely in their house as also considering that the petitioners and the informant are related to each other and they are co-sharers, let the petitioners be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Jehanabad in connection with Ghosi P.S. Case No. 346 of 2017 subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

- (a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,
- (b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that they will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioners.

This application is allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

