

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24925 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- GAMAHARIYA District- Madhepura

1. RAJ KISHOR YADAV @ RAJ KISHOR KUMAR S/o Sri Bhupendra Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.
2. Chandra Kishor Yadav @ Chandra Kishor Kumar S/o Sri Bhupendra Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.
3. Bhupendra Yadav S/o Late Ayodhi Yadav @ Ayuadhi Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.
4. Nitish Kumar S/o Sri Kailash Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.
5. Kiran Devi W/o Sri Kailash Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.
6. Kiran Devi W/o Sri Raj Kishor Yadav Resident of Village- Chikni Fulkaha, P.S.- Gamharia, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mrs Asha Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned



APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 354, 307, 379, 427, 504, 506/34 of the Indian Penal Code.

The prosecution allegation, in short, is that on account of dispute regarding construction of house, when the informant objected, the accused persons assaulted him and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The nature of injury is said to be simple. The same is on the non-vital part of the body. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned J.M. 1st Class,
Madhepura in connection with Gamharia P.S. Case No. 173 of
2019, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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