

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82107 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- BODHGAYA District- Gaya

1. Babuchand Yadav, Son of Kapildeo Yadav @ Kapil Resident of Village - Suryapura, P.S.- Bodh Gaya, Distt.- Gaya.
2. Munna Yadav, Son of Kapildeo Yadav @ Kapil Yadav Resident of Village - Suryapura, P.S.- Bodh Gaya, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 24-06-2020 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 Bodh Gaya P.S. Case no. 320 of 2018, registered under Sections 341, 323, 379, 354(B) and 447/34 of the Indian Penal Code.

The accusation is that informant Rita Devi was at at her door at about 9.00 A.M. on 18.05.2018, at that time, Sadhu Sharan Yadav and both petitioners Babuchand Yadav and Munna Yadav came and asked her why she had not come in the night in spite of giving instruction, at that time, they caught hold her with bad intention. On raising alarm, Munna



Yadav (Petitioner No.2) gave lathi blow at her leg and Sadhu Sharan Yadav snatched her gold chain worth of Rs. 30,000/- and fled away from there. Due to fear, she did not went to the Police Station to lodge the case, but, when she became serious then she went at Magadh Medical Hospital, Gaya on 19.05.2018, where she was under treatment till 24.05.2018.

Learned counsel for the petitioners submits that petitioners and informant are co-villagers and due to dirty village politics, the petitioners have falsely been implicated in this case. Moreso, there is no injury report detailed in the case diary, which is up to paragraph No. 29, while it is alleged that petitioner No.2 Munna Yadav had given lathi blow at her leg. Further submission is that both 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, Gaya in connection with Bodh Gaya P.S. Case No. 320 of 2018, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

