

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.545 of 2020

Arising Out of PS. Case No.-284 Year-2019 Thana- NARDIGANJ District- Nawada

1. SHRAWAN YADAV Son of Ram Balak Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 2. Bipin Yadav Son of Ram Balak Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 3. Ram Balak Yadav Son of Late Baldeo Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 4. Rajiv Kumar Son of Shrawan Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 5. Sanjiv Kumar Son of Shrawan Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 6. Binod Yadav Son of Shivalal Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 7. Subodh Yadav Son of Shivalal Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 8. Biru Yadav Son of Shiv Lal Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 9. Pradip Yadav Son of Vijay Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada.
 10. Ranjit Yadav Son of Madhu Yadav Resident of Village - Baresra, P.S.- Nardiganj, District - Nawada
- Petitioners**

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 323, 504 and other allied sections of the Indian Penal Code.

Petitioners are alleged to have assaulted the informant



and his family, while petitioner Bipin Yadav assaulted them with iron rod.

Learned counsel for the petitioners submits that the allegation of assault against the petitioners is false and in fact informant and his associates had assaulted the petitioners for which Nardignj Police Station Case No. 285/2019 was lodged. Injuries have been found to be simple in nature.

Learned counsel for the State submits that there is allegation against the petitioners and petitioner nos 1, 2 and 9 have got criminal antecedent.

Considering the facts of the case, let the petitioners no. 3, 4, 5, 6, 7 and 8 named above, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- each (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Nawada in Nardiganj Case No. 284 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without



sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

Prayer for bail of the petitioners no. 1,2 and 9 is refused with direction to surrender and seek regular bail within six weeks from today, which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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