

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11987 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- BANKA District- Banka

1. KANHAIYA YADAV Son of Paipu Yadav Resident of Village - Fullidumar, P.S. and District - Banka.
2. Suresh Yadav Son of Gopali Yadav Resident of Village - Fullidumar, P.S. and District - Banka.
3. Pujo Yadav Son of Late Santoshi Yadav Resident of Village - Fullidumar, P.S. and District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2021 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case in connection with Banka P.S. Case No.60 of 2020, registered for the offence punishable under Sections 147, 149, 323, 427, 379, 504, 506 of the IPC and section 27 of Arms Act.

The allegation against the petitioners is that they along



with other co-accused came with weapons while the informant was doing construction work in his land and destroyed the construction work. It is alleged that they threatened the informant to move away from the land.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. Petitioners and informant are co-villagers and next door neighbor. There is a land dispute between the parties for which a title suit vide T.S. No.101/2019 is going on. There is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. There is no allegation of firing or any injury inflicted by the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that petitioners are involved in the alleged occurrence.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, 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 six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Banka P.S. Case No.60 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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