

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13915 of 2021

Arising Out of PS. Case No.-132 Year-2020 Thana- SISWAN District- Siwan

-
1. TUFANI YADAV @ SHAILESH YADAV Son of Late Pancha Yadav @ Panchalal Yadav Resident of Village - Bangra Ke Bari, P.S.- Siswan Chainpur, O.P., Distt.- Siwan.
 2. Ravi Yadav Son of Late Pancha Yadav @ Pancha Lal Yadav Resident of Village - Bangra Ke Bari, P.S.- Siswan Chainpur, O.P., Distt.- Siwan.
 3. Triloki Yadav SoOn of Late Rama Yadav Resident of Village - Bangra Ke Bari, P.S.- Siswan Chainpur, O.P., Distt.- Siwan.
 4. Dinesh Yadav @ Lali Yadav Son of Late Kedar Yadav Resident of Village - Chainpur, P.S.- Siswan Chainpur, O.P., Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr. Rajeev Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 4 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 4.

Heard learned counsel for the petitioner nos. 1 to 3 and learned APP for the State.

Learned counsel for the petitioner nos. 1 to 3 is directed to remove the defects, as pointed out by the Office,



within a period of eight weeks.

The petitioner nos. 1 to 3 are apprehending their arrest in a case registered under Sections 341, 323, 324, 379, 427, 307, 504, 506 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons came to the shop of the informant and assaulted him and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioner nos. 1 to 3 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1 to 3. The petitioner nos. 1 to 3 have falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner nos. 1 to 3 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1 to 3, 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan in connection with Siswan (Chainpur O.P.) P.S. Case No. 132/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

