

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18331 of 2021**

Arising Out of PS. Case No.-73 Year-2020 Thana- SAKURABAD District- Jehanabad

1. YOGENDRA MISHRA S/O SHIVNANDAN MISHRA R/O VILLAGE-SESAMBA, P.S-SAKURABAD IN THE DISTRICT OF JEHANABAD
2. BAIJNATH KUMAR S/O SRI SOHAN PRASAD GUPTA R/O VILLAGE-SAKURABAD, P.S.-SAKURABAD IN THE DISTRICT OF JEHANABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-12-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners are expected to honour their undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioners is/are apprehending his/their arrest in connection with Sakurabad P.S. Case No. 73 of 2020 for the offence registered under Sections 341, 323, 353, 379 and 504/34 of the Indian Penal Code.

The prosecution case in brief is that on 15.05.2020 at about 1.45 p.m. Block Pramukh namely, Prem Chand Kumar called him in house. Thereafter, he went there then Block



Pramukh said that you will do as instructions of the mukhiya and started to abuse and also assaulted him, as a result of which he received injury on his head. It is further alleged that accused Yogendra Mishra and Baijnath Kumar also snatched the locket and accused Yogendra Mishra snatched Rs. 5000/- from his pocket.

Learned counsel for the petitioners submits that petitioners have committed no offence and they have falsely been implicated in connection with the present case with oblique motive and *malafide* intention. From perusal of the first information report, it is apparent that there is specific allegation against Block Pramukh and not against these petitioners. The allegation of snatching of locket and cash against the petitioners is false and fabricated. It is further submitted that the injury found on the person of the informant is simple in nature. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his/their arrest/surrender before the court below within a period of four 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 Chief



Judicial Magistrate, Jehanabad in connection with Sakurabad
P.S. Case No. 73 of 2020, subject to the conditions as laid down
under Section 438(2) of the Cr. P.C.

(Sunil Kumar Panwar, J)

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