

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21570 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- NALANDA District- Nalanda

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1. RAM BRIKSH YADAV S/o Late Amrit Yadav R/o village- Kaparsari, P.S.- Nalanda, District- Nalanda
 2. Kunal Kumar S/o Ram Briksh Yadav R/o village- Kaparsari, P.S.- Nalanda, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioners are apprehending their arrest in a
case registered under Section 341, 323, 504, 506, 307, 379/34 of
the Indian Penal Code.

The prosecution case, in short, is that co-accused
Lakhan Yadav assaulted the informant by means of hasua
causing injury in his chest and petitioner No.1 assaulted him by
lathi and petitioner No.2 snatched golden chain from his neck.

It has been submitted on behalf of the petitioners



that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. There is admitted land dispute between the parties. The main allegation is against the co-accused, namely, Lakhan Yadav. The nature of injury is said to be simple. Hence no offence under Section 307 of I.P.C. is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda P.S. case No.150 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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