

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33252 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- MUFFASIL District- Aurangabad

1. UMESH YADAV S/o Nanu Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).
2. Sonu Kumar S/o Umesh Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).
3. Upendra Yadav S/o Puran Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).
4. Satan Yadav S/o Late Sukhdeo Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).
5. Santosh Kumar S/o Lohari Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).
6. Sunil Kumar S/o Ranjeet Yadav Resident of Village-Bhaora Bigha, P.S.-Muffasils (Aurangabad), District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Heard learned counsel for the petitioners and
learned APP for the State.

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

At the outset, learned counsel for the petitioners submits
that during pendency of this application, the petitioner No. 2 has
been taken into judicial custody and hence this application with



regard to petitioner No. 2 has become infructuous.

Accordingly, the present application with regard to petitioner No. 2 only is dismissed as withdrawn.

The petitioner Nos. 1 and 3 to 6 are apprehending their arrest in a case registered under Sections 341, 323, 324, 326, 354(b), 379/34 of the Indian Penal Code.

Allegedly, in the backdrop of drainage dispute, the accused persons assaulted the informant's wife and tried to outrage her modesty. While the informant came to rescue her wife, he was also assaulted with sword as a result of which, he sustained head injury. Rs. 20,000/- is alleged to have been snatched away by the accused persons.

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 been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners



are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner Nos. 1 and 3 to 6, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 64 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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