

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31003 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- LAKHISARAI District- Lakhisarai

1. RAGHO YADAV S/o Late Asharfi Yadav Resident of Village- Morma, P.S.- Amahara, District- Lakhisarai.
2. Balak Yadav @ Ram Balak Yadav Son of Late Asharfi Yadav Resident of Village- Morma, P.S.- Amahara, District- Lakhisarai.
3. Dablu Kumar @ Chandra Prakash Kumar Son of Yogi Yadav @ Yogendra Yadav Resident of Village- Morma, P.S.- Amahara, District- Lakhisarai.
4. Bablu Kumar Son of Yogi Yadav @ Yogendra Yadav Resident of Village- Morma, P.S.- Amahara, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-01-2021 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 petitioner No. 2 has been taken into judicial custody. Hence, this application with regard to petitioner No. 2 has become infructuous.

According, this application with respect to petitioner No. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner No. 1, 3 & 4 and



learned APP for the State.

The petitioner Nos. 1, 3 & 4 are apprehending their arrest in a case registered under Sections 147, 148, 149, 323 & 307 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant along with his family members were sitting at his Bathan and were feeding his cattle, the accused persons having armed with different weapons, came there and started breaking the wall. On protest made by the informant, the accused persons started abusing him and also assaulted him as a result of which, he sustained injury. The brother and the son of informant also sustained injuries in the occurrence. It is also alleged that 20-30 rounds firing was made in the occurrence.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioner Nos. 1, 3 & 4. 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 petitioner Nos. 1, 3 & 4 are named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances of the case, let the petitioner Nos. 1, 3 & 4, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Amahara) P.S. Case No. 112 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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