

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34801 of 2020

Arising Out of PS. Case No.-163 Year-2020 Thana- NATHNAGAR District- Bhagalpur

1. SANTOSH YADAV Son of Bishun Yadav @ Vishnu Devn Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.
2. Rohan Yadav Son of Siyaram Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.
3. Vikash Yadav Son of Siyaram Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.
4. Chhotu Kr. Yadav Son of Bishun Yadav @ Vishnu Devn Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.
5. Siyaram Yadav Son of Late Lakhan Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.
6. Bishun Yadav Son of Late Lakhan Yadav Resident of Mohalla- Laluchak, P.S.- Nath Nagar, District- Bhagalpur.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.
For the State : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 14.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nathnagar P.S. Case No.163 of 2020 registered under



Sections 341, 323, 354(B), 504 and 506/34 of the Indian Penal Code.

The accusation is that on 11.03.2020 at about 01.30 P.M., adjacent to the house of the informant Dina Yadav, some persons were sitting, who started teasing to the wife of the informant. On 'Hullah', when the daughter-in-law of the informant came there, then she was also abused and her Saree was torn by them. Thereafter, the informant also reached there, then he was also assaulted by them causing fracture injury in his hand. At that time, Santosh Yadav (petitioner no.1) caused injury through rod to the daughter of the informant. All the accused including the other petitioners also caused assault to them. They also gave threatening to kill by gunshot if the case is lodged.

Learned counsel for the petitioners submits that, in fact, the shop of the petitioners and the shop of the informant are adjacent to each others, due to that reason hot exchange of words took place in between them but with an ulterior motive, the informant has lodged the present case. Further submission is that while it is alleged that the hot exchange of words and scuffle took place between the parties but no apparent injury was received by any person of the informant's side. The



petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Bhagalpur, in connection with Nathnagar P.S. Case No.163 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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