

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35418 of 2020

Arising Out of PS. Case No.-367 Year-2019 Thana- BISFI District- Madhubani

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1. Kamlesh Yadav, Son of Bhulla Yadav Resident of village- Simri, P.s.- Bisfi,
District- Madhubani
 2. Vimlesh Yadav, son of Bhulla Yadav Resident of village- Simri, P.s.- Bisfi,
District- Madhubani
 3. Bharat Sah, son of Umesh Sah Resident of village- Simri, P.s.- Bisfi,
District- Madhubani
 4. Anjani Yadav, son of Malik Yadav Resident of village- Simri, P.s.- Bisfi,
District- Madhubani
 5. Jitendra Sah, son of Umesh Sah Resident of village- Simri, P.s.- Bisfi,
District- Madhubani
 6. Sujeet Sah, son of Kailash Sah Resident of village- Simri, P.s.- Bisfi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 25-03-2021 Heard Mr. Jay Prakash Singh, learned counsel

for the petitioners and Mr. Narsingh Tanti, learned APP

for the State.



The petitioners seek bail in anticipation of their arrest in connection with Bisfi P. S. Case No. 367 of 2019, dated 03.12.2019, instituted for the offences under Sections 290, 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code and Section 37 (C) of Bihar Prohibition of Excise Act, 2016.

According to the F.I.R., the accused persons including the petitioners came to the house of the informant in an inebriated condition and started assaulting him. Co-accused Lalu Sah and Bharat Sah are said to have assaulted the informant by means of an iron rod. The mother and other members of the family of the informant also appears to have been injured in the occurrence.

The learned counsel for the petitioners has submitted that accusation of assault is against co-accused Lalu Sah and Bharat Sah but Lalu Sah has been granted bail by the court below.

Apart from this, it has been submitted that



injuries on the victims are all simple in nature.

The accusation of the petitioners of entering in the house of the informant in an inebriated condition is also wrong.

The petitioners are persons of young age and are students who fought against themselves leading to the lodging of the subject F.I.R.

The petitioners claim to be the persons of clean antecedents.

Considering all the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge – II – cum – Special Judge (Excise Act), Madhubani, in connection with Bisfi P. S. Case No. 367



of 2019, subject to the conditions as laid down under
Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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