

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38283 of 2020

Arising Out of PS. Case No.-417 Year-2019 Thana- JOGAPATTI District- West Champaran

1. DHOMA MUKHIYA Son of Late Ramdhani Mukhiya Resident of Village- Naya Tola, Harpurwa, Police Station- Yogapatti, District- West-Champaran.
2. Manjeet Kumar Son of Dhoma Mukhiya Resident of Village- Naya Tola, Harpurwa, Police Station- Yogapatti, District- West-Champaran.
3. Chandan Kumar Son of Sheshnath Mukhiya Resident of Village- Naya Tola, Harpurwa, Police Station- Yogapatti, District- West-Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 28-10-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Yogapatti P.S. Case No. 417 of 2019 registered under Sections 341, 323, 307, 379, 325, 504, 506 and 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. There is no specific allegation against the petitioner no. 1. Further submission is that petitioners have no criminal antecedent.

Learned A.P.P. appearing on behalf of the State opposed

the prayer of petitioner nos. 2 and 3 by contending that the first information report itself shows that there is specific allegation of assault against them by means of lathi and bat to the informant due to which, left hand of the informant was fractured. Hence, petitioner nos. 2 and 3 do not deserve anticipatory bail.

Having considered the facts and circumstances of the case, prayer of the petitioner nos. 2 and 3 for grant of anticipatory bail is rejected.

So far as prayer of petitioner no. 1 is concerned, his prayer for grant of anticipatory bail is allowed. Let the above named petitioner no. 1 be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 417 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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