

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4061 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- RAFIGANJ District- Aurangabad

1. SUNIL KUMAR YADAV @SUNIL YADAV Son of Ram Keshwar Yadav Resident of Village-Pathak Bigha, P.S.-Rafiganj, District-Aurangabad.
2. Ashok Kumar Yadav @ Ashok Yadav Son of Ram Keshwar Yadav Resident of Village-Pathak Bigha, P.S.-Rafiganj, District-Aurangabad.

... .. Petitioner/s

Versus

STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the petitioners and the State through virtual mode.

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

The petitioners are apprehending their arrest in a case registered under Sections 447, 341, 323, 324, 307, 504, 506, 379/34 of the Indian Penal Code.

Allegedly, the accused persons came at the door of the informant and assaulted his wife causing injury on her head. It is also alleged that while the informant and his nephew came to rescue the informant's wife, they were also assaulted. The gold



chain of informant's wife was snatched away.

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. 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 and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No. 157 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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