

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38366 of 2020

Arising Out of PS. Case No.-499 Year-2020 Thana- BANKA District- Banka

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1. GOVIND YADAV SON OF SUNDAR YADAV RESIDENT OF VILLAGE - BHADARIYA, P.S. - BANKA, DISTRICT - BANKA
 2. RAJU YADAV SON OF SARVAN YADAV RESIDENT OF VILLAGE - BHADARIYA, P.S. - BANKA, DISTRICT - BANKA

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the informant	:	Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 22.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners, learned counsel appearing on behalf of informant and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Banka P.S. Case No. 499 of 2020, registered under Sections 341, 342 and 302/34 of the Indian Penal Code and Section 7(c) of Protection from Lynching Act, 2017, pending in the court of



the learned Chief Judicial Magistrate, Banka.

The accusation is that on 24.06.2020, in the evening, informant Shambhu Yadav received information from villagers that his son Mahesh Yadav is being beaten by his villager, namely, Kishundeo Yadav in his house. Thereafter, informant reached there then saw that his villagers Congress Yadav, Kaillu Yadav, Shibu Yadav, Govind Yadav (Petitioner No.1), Kashi Yadav, Raju Yadav (Petitioner No.2), Jitan Yadav and Chhotu Yadav are indulged in causing assault to his son. When he made protest then they gave threatening for dire consequences and they removed him from there. Thereafter, informant informed the matter to the Police, on mobile, and when Police came till that time, his son had died. The cause of occurrence is that there was illicit relation of his son with Lalita Devi, wife of Kishundeo Yadav, due to that reasons his son was brutally assaulted. The informant further claimed that Lalita Devi, wife of Kishundeo Yadav, and Chanchala Devi, wife of Congress Yadav have also hand in the alleged occurrence.

Learned counsel appearing on behalf of petitioners submits that petitioners are Gotiya of Kishundeo Yadav due to that reasons, they have falsely been implicated in this case.

Having considered the facts and circumstances of



the case and the nature of allegation against the petitioners, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, their prayer for grant of pre-arrest bail stands rejected. The petitioners are directed to surrender before the trial Court within four weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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