

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38892 of 2020

Arising Out of PS. Case No.-65 Year-2020 Thana- CHANAN District- Lakhisarai

1. Jai Ram Yadav, Son of Late Gaya Yadav, Resident of Village - Basuachak, P.S.- Chanan, District - Lakhisarai.
2. Lalu Yadav, Son of Jairam Yadav, Resident of Village - Basuachak, P.S.- Chanan, District - Lakhisarai.
3. Darpadi @ Dropati Devi, Wife of Jairam Yadav, Resident of Village - Basuachak, P.S.- Chanan, District - Lakhisarai.
4. Kamali Devi, Wife of Fagu Yadav, Resident of Village - Basuachak, P.S.- Chanan, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-07-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, 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 through Video Conferencing.

The petitioners apprehend their arrest in connection with Chanan P.S. Case No. 65 of 2020, registered under Sections 448, 341, 323, 307 and 504/34 of the Indian Penal Code.



The accusation is that eight persons named in the FIR including the petitioners having armed with weapons, under conspiracy, came at the *Bathan* of the informant, Radha Kumari, and started to abuse. At that time, Fagu Yadav and Bablu Kumar gave iron rod blow to her father and uncle, namely, Sanjay Yadav and Ajay Yadav, in which, her father sustained injury at his head. When her mother came to save him then Dropati Devi (petitioner no.3) snatched the gold chain from her neck. On raising alarm, villagers came there then they fled away.

Learned counsel for the petitioners submits that due to land dispute, occurrence of *Marpit* took place, in which, petitioners' side also sustained injury, regarding which, Chanan P.S. Case No. 64 of 2020 is also instituted against the informant and others on the basis of Fradbeyan of co-accused, Fagu Yadav, husband of petitioner no. 4. Further submission is that while petitioners are named in the FIR but no specific overt act has been attributed against them. Further submission is that while it is alleged that Fagu Yadav and Bablu Kumar caused injury to father and uncle of the informant but the injuries, as found on the person of the father of the informant, are simple in nature. Further submission is that petitioners have no criminal antecedent.



Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Lakhisarai, in connection with Chanan P.S. Case No. 65 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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