

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39764 of 2020

Arising Out of PS. Case No.-116 Year-2020 Thana- MAHISHI District- Saharsa

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1. RAM LAKHAN YADAV Son of Late Bhutan Yadav Resident of Village - Sirwar, P.S.- Mahishi and Distt.- Saharsa.
 3. Deepak Yadav Son of Ashok Yadav Resident of Village - Sirwar, P.S.- Mahishi and Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioners and learned APP for 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.

The petitioners are apprehending their arrest in a case registered under Section 341, 323, 307, 379, 384, 504, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioners assaulted the informant by means of lathi and butt of pistol and accused Bablu Yadav assaulted the informant by means of sapde on his head, due to which he sustained injuries.

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 falsely been implicated in this case. So far the petitioner No.1 is concerned, no specific overt act is alleged against him. Petitioner No.2 is said to have used butt of pistol, which shows that he had no intention to commit an offence under Section 307 of I.P.C. The main allegation is against the co-accused Bablu Yadav.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Mahishi P.S. case No.116 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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