

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40444 of 2020

Arising Out of PS. Case No.-354 Year-2017 Thana- BAKHTIARPUR District- Saharsa

1. DEVDUTT YADAV Son of Shabindra Yadav Resident of Village- Simri, Dwarika, P.S.- Bakhtiarapur, District- Saharsa.
2. Nitya Nand Yadav Son of Ramdev Yadav @ Ramdev Prasad Yadav Resident of Village- Simri, Dwarika, P.S.- Bakhtiarapur, District- Saharsa.
3. Ranjit Yadav @ Ranjit Yadva Son of Ramdev Yadav @ Ramdev Prasad Yadav Resident of Village- Simri, Dwarika, P.S.- Bakhtiarapur, District- Saharsa.
4. Dular Chand Yadav Son of Ramdev Yadav @ Ramdev Prasad Yadav Resident of Village- Simri, Dwarika, P.S.- Bakhtiarapur, District- Saharsa.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Binod Kumar Sinha, Advocate.
For the State	:	Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 27.12.2020, 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 Bakhtiyarpur P.S. Case No.354 of 2017 registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of



the Indian Penal Code.

The accusation is that on 03.10.2017 at about 01.00 P.M., when the informant Pradeep Yadav was coming to his house, then, in the way, the petitioners along with Shabindra Yadav alias Sobhi Yadav variously armed with weapons surrounded the informant. Thereafter, on the order of Shabindra Yadav, Devdutt Yadav (petitioner no.1) gave farsa blow at the informant, due to which the informant sustained injury and he fell down. When Vikash Yadav, the son of the informant, came, then the petitioner nos.2, 3 and 4 started to cause assault him through lathi, danda and iron rod and also to the informant in an injured condition, due to which the informant sustained injury on his head. In that course, Sobya Devi, Puja Devi and Nutan Devi caused assault to the informant and his son through lathi and danda. At that time, Puja Devi took the mobile phone of the informant from his pocket, whereas Sobya Devi took the gold chain from the neck of the son of the informant.

Learned counsel for the petitioners submits that due to some dispute, hot exchange of words and occurrence of “Maar-Peet” took place between the parties but with an ulterior motive, the informant has lodged the present case with false allegation. Furthermore, the injuries, as found on the person of the



informant and his son, are simple in nature. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Rajesh Kumar-VI, Judicial Magistrate, First Class, Saharsa, in connection with Bakhtiyarpur P.S. Case No.354 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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