

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4235 of 2021

Arising Out of PS. Case No.-86 Year-2020 Thana- FATEHPUR District- Gaya

1. JAGESHWAR YADAV Son of Late Amrit Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
2. Mahavir Yadav Son of Late Amrit Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
3. Naresh Yadav Son of Late Amrit Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
4. Devan Yadav Son of Late Amrit Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
5. Rajo Yadav @ Rajo Prasad Yadav Son of Late Amrit Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
6. Rajesh Yadav Son of Rajo Yadav @ Rajo Prasad Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
7. Karu Kumar @ Karu Yadav Son of Rajo Yadav @ Rajo Prasad Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
8. Mukesh Kumar Son of Rajo Yadav @ Rajo Prasad Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
9. Dipak Kumar Son of Mahavir Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.
10. Nitish Kumar Son of Devan Yadav Resident of Village- Burgijoi, P.S.- Fatehpur, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Advocate
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of four



weeks from the date of restoration of normalcy.

The petitioners are apprehending their arrest in connection with Fatehpur P.S. case No.86/2020 (G.R. No.2235/20) registered under Sections 341, 323, 324, 308, 504, 147, 379, 427 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners came at the informant's house and started abusing her. When she protested, accused Jatan Yadav hit on her head and when her husband came, the petitioners assaulted him, due to which he sustained head injury and they also assaulted her sister-in-law and snatched gold chain.

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 the present case. General and omnibus allegation has been made. Specific allegation is against the co-accused Jatan Yadav. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have 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 facts and circumstances of the case, 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 District and Sessions Judge, Gaya in connection with Fatehpur P.S. case No.86/2020 (G.R. No.2235/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will 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)

Narendra/-

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