

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4005 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- MAIRWAN District- Siwan

1. ASHUTOSH KUMAR YADAV Son of Chhotelal Yadav Resident of Village- Chhotka Manjha, P.S.- Mairwa, Distt- Siwan.
2. Pappu Kumar Yadav Son of Late Hari Kishun Yadav Resident of Village- Chhotka Manjha, P.S.- Mairwa, Distt- Siwan.
3. Guddu Kumar Yadav Son of Late Hari Kishun Yadav Resident of Village- Chhotka Manjha, P.S.- Mairwa, Distt- Siwan.
4. Satyendra Yadav Son of Shivjee Yadav Resident of Village- Chhotka Manjha, P.S.- Mairwa, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioners and 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 after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

Allegedly, the accused persons assaulted the informant and her brother, as a result of which, both hands of the informant are



said to have broken.

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 been falsely implicated in the present case. Except petitioner No. 1, there is general and omnibus allegation against rest of the petitioners. No specific overt act is alleged against the petitioners. Vide Annexure-2, a Case has also been lodged by petitioner's side. The contents of the present FIR does not disclose the date and time of occurrence. From perusal of the FIR, it is evident that there is land dispute between the parties. Free fight is alleged to have taken place between the parties.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, let 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 Shri Prasenjit Singh, learned Judicial Magistrate-Ist Class, Siwan in connection with Mairwa P.S. Case No. 242 of 2020



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall 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)

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