

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2593 of 2021

Arising Out of PS. Case No.-296 Year-2020 Thana- SHEKHPURA District- Sheikhpura

1. Dipu Yadav @ Deepak Yadav, aged about 28 years, Male, Son of Ram Swaroop Yadav, Resident of Village - Devra, Police Station - Sheikhpura, District.- Sheikhpura.
2. Radhey Yadav, aged about 37 years, Male, Son of Ram Swaroop Yadav, Resident of Village - Devra, Police Station - Sheikhpura, District.- Sheikhpura.
3. Prakash Yadav, aged about 39 years, Male, Son of Ram Swaroop Yadav, Resident of Village - Devra, Police Station - Sheikhpura, District.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-03-2021 Heard both sides.

Learned counsel for the petitioners submits that the petitioner no.3 has already been arrested and seeks permission to withdraw the anticipatory bail petition of petitioner no.3.

Prayer is allowed.

The anticipatory bail petition of petitioner no.3 is dismissed as withdrawn.

Petitioners no.1 and 2 apprehend their arrest in Sheikhpura P.S. Case No.296 of 2020, registered under Sections 147, 148, 149, 448, 341, 323, 324, 307, 380, 385, 504 and 506



of the Indian Penal Code.

The informant named the petitioners and others and alleged that Dipu Yadav @ Deepak Yadav assaulted him with spear in his abdomen and Radhey Yadav, petitioner no.2 took out Rs.50,000/- from his room. The accused persons were demanding extortion.

Learned counsel for the petitioners submits that there is counter version being Sheikhpura P.S. Case No.295 of 2020. Radhey Yadav, petitioner no.2 is the informant of the case. The informant Amirak Yadav got two abrasion. The injury report shows that both the injuries are simple in nature. No piercing injury is found on the person of the informant.

Having considered the facts that there is case and counter case and petitioner no.1 is alleged to have pierced spear in the abdomen of the informant but the injury is abrasion and superficial, simple in nature, petitioners no.1 and 2, namely, Dipu Yadav @ Deepak Yadav and Radhey Yadav, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sheikhpura in connection



with Sheikhpura P.S. Case No.296 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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