

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3132 of 2021

Arising Out of PS. Case No.-162 Year-2020 Thana- CHOUTARWA District- West
Champaran

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1. LALAN YADAV YAMUNA YADAV R/O VILLAGE HARADI NADAWA,
POLICE STATION CHAUTARWA DISTRICT WEST CHAMPARAN
 2. MOHAN YADAV S/O BRAHMDEO YADAV R/O VILLAGE HARADI
NADAWA, POLICE STATION CHAUTARWA DISTRICT WEST
CHAMPARAN
 3. JANG BAHADUR YADAV S/O BRAHMDEO YADAV R/O VILLAGE
HARADI NADAWA, POLICE STATION CHAUTARWA DISTRICT
WEST CHAMPARAN
 4. BIRENDRA YADAV S/O LATE BABUCHAND YADAV R/O VILLAGE
HARADI NADAWA, POLICE STATION CHAUTARWA DISTRICT
WEST CHAMPARAN
 5. NIPPU YADAV S/O NAGINA YADAV R/O VILLAGE HARADI
NADAWA, POLICE STATION CHAUTARWA DISTRICT WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
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 323, 324, 325, 307, 341, 504, 506/34



of the Indian Penal Code.

Allegedly, the accused persons having variously armed came at the place of occurrence with intention to grab the paternal land of the informant by constructing a hut. On protest, the accused persons assaulted the informant and his brother as a result of which, they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioner Nos. 1, 2, 3 & 5 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. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Both sides are said to have received injuries. The injury on the side of the accused has 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 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



learned Additional Chief Judicial Magistrate-Ist, Bagaha, West Champaran in connection with Choutarwa P.S. Case No. 162 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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