

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4700 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- GAYA MUFASIL District- Gaya

1. Rajesh Kumar Yadav @ Bahadur @ Lal Bahadur Sastri Son of Vinod Yadav @ Binod Yadav @ Virendra Yadav @ Birendra Yadav Resident of Village - Nauranga, P.S.- Mufassil. District- Gaya.
2. Raushan Kumar @ Nitish Kumar @ Nitesh Kumar Son of Vinod Yadav @ Binod Yadav @ Virendra Yadav @ Birendra Yadav Resident of Village - Nauranga, P.S.- Mufassil. District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Prasad Bhartee
For the informant : Mr. Umesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 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, 504, 506, 447, 354, 307, 379/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner No. 1 is of assaulting the informant with fist and slaps as also by butt of the pistol



whereas the petitioner No.2 is alleged to have tried to outrage her modesty.

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. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. 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 Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 204 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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