

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6256 of 2021

Arising Out of PS. Case No.-78 Year-2019 Thana- ASANWA District- Siwan

1. Jitender Yadav @ Mukurdhaan Son Of Ram Ishwar Yadav R/O Vill.- Pachbeniya, P.S.- Assaon, Dist.- Siwan
2. Ram Ishwar Yadav Son Of Late Ram Swaroop Yadav R/O Vill.- Pachbeniya, P.S.- Assaon, Dist.- Siwan
3. Sateyender Yadav Son Of Ram Ishwar Yadav R/O Vill.- Pachbeniya, P.S.- Assaon, Dist.- Siwan
4. Vishal Yadav Son Of Ram Ishwar Yadav R/O Vill.- Pachbeniya, P.S.- Assaon, Dist.- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners seeks permission
of the Court to withdraw this application in respect of petitioner
No. 4 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner No. 4.

Learned counsel for the petitioner Nos. 1 to 3 is
directed to remove the defects, as pointed out by the Office,



within a period of four weeks after restoration of normalcy.

The petitioner Nos. 1 to 3 are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 302 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that on trivial issue, the accused persons assaulted the mother and family members of the informant due to which mother of the informant died.

It has been submitted on behalf of the petitioner Nos. 1 to 3 that the petitioner Nos. 1 and 2 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 1 to 3. The petitioner Nos. 1 to 3 have falsely been implicated in the present case. General and omnibus allegation has been made against petitioner Nos. 1 to 3. No specific overt act is alleged against petitioner Nos. 1 to 3. Due to previous enmity, the present case has been instituted.

On behalf of the State, it is submitted that the petitioner Nos. 1 to 3 are named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner Nos. 1 to 3, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on



their personal bonds to the satisfaction of learned Additional Sessions Judge -V, Siwan in connection with Assaon P.S. Case No. 78/19, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner Nos. 1 to 3 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each 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)

Pankaj/-

U		T	
---	--	---	--

