

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7503 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- SASARAM RAIL P.S. District- Gaya

1. SANTOSH YADAV @ SHIV KISHORE YADAV Son of Kishun Yadav @ Kishun Singh Resident of Village - Narma/Larma, P.S.- Durgawati, District - Kaimur.
2. Rahul Yadav Son of Chhotu Yadav Resident of Village - Narma/Larma, P.S.- Durgawati, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 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 Rail P.S. Sasaram (Bhabua) Case No. 15 of 2020 registered under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, after the end of Sarswati Puja, the accused persons having armed with Hockey stick and danda started abusing the informant and others. On protest, they surrounded



them and started assaulting them with their weapon, due to which, they sustained grievous injuries.

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. 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, 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 Railway Judicial Magistrate, Gaya in connection with Rail P.S. Sasaram (Bhabua) Case No. 15 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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