

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8586 of 2021

Arising Out of PS. Case No.-417 Year-2020 Thana- KHAIRA District- Jamui

1. MAHESH YADAV @ MAHESH KUMAR AND ANOTHER Son of Sri Niripat Yadav Resident of Village - Devpur, P.S. - Khaira, District - Jamui.
2. Rajesh Yadav @ Rajesh Kumar Son of Sri Niripat Yadav Resident of Village - Devpur, P.S. - Khaira, District - Jamui.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Mukul Jee
For the Informant	:	Mr. Anwar Karim
For the State	:	Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Khaira P.S. case No. 417 of 2020 registered for the offences punishable under Sections 143, 341, 323, 324, 307, 354A, 504 & 506 of the Indian Penal Code and Section 3/4 of the Prevention of Witch (Daain) Practices Act, pending in the



Court of learned Chief Judicial Magistrate, Jamui.

While the informant was at her home, all the named accused persons including these petitioners are said to have come at the house of the informant armed with sword, axe, farsa, lathi and iron rod entered into the house and started abusing and assaulting her and she sustained serious head injury. They also took away some house hold belongings.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the instant case is counter blast of Complaint Case No.886 (C)/2020. Petitioners have no criminal antecedent.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, the



petitioners are directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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