

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2075 of 2022

Arising Out of PS. Case No.-74 Year-2021 Thana- JOGAPATTI District- West Champaran

1. NARESH YADAV S/o- Mohan Yadav R/o- Village- Kavlapur, P.S.- Yogapatti (Nawalpur), District- West Champaran.
2. Pannalal Yadav S/o- Guddar Yadav R/o- Village- Kavlapur, P.S.- Yogapatti (Nawalpur), District- West Champaran.
3. Sadhu Yadav @ Sadhu Kumar Yadav S/o- Satan Yadav R/o- Village- Kavlapur, P.S.- Yogapatti (Nawalpur), District- West Champaran.
4. Satan Yadav S/o- Late Lalu Yadav R/o- Village- Kavlapur, P.S.- Yogapatti (Nawalpur), District- West Champaran.
5. Madan Yadav S/o- Late Lalu Yadav R/o- Village- Kavlapur, P.S.- Yogapatti (Nawalpur), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 427, 379, 504, 506/34 of the Indian Penal Code.



Allegedly, all the F.I.R. named accused persons entered into the informant's house and dragged him out of the house and brutally assaulted him by means of farsa on the head and right leg, causing bleeding injury. When others came to save him, the accused persons also assaulted him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a land dispute between the parties. There is a case and counter-case between the parties for the alleged occurrence. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Balister Yadav, Awadhesh Yadav and Vinod Yadav. Petitioners are the members of the mob. It is submitted that the informant's side has been granted anticipatory bail by this Court. Petitioner nos.1 and 2 have two criminal antecedents and petitioner nos.3, 4 and 5 have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, let



the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Yogapatti (Nawalpur) P.S. Case No.74/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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