

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13860 of 2021

Arising Out of PS. Case No.-181 Year-2020 Thana- BIRAUL District- Darbhanga

1. BIRENDRA YADAV Son of Late Dev Narayan Yadav Resident of Village - Nunukala, P.S.- Biraul, Distt.- Darbhanga.
2. Shambhu Yadav Son of Baran Yadav @ Ram Narayan Yadav Resident of Village - Nunukala, P.S.- Biraul, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdish Prasad Singh
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in Biraul P.S. Case No. 181 of 2020 registered for the offence under Sections 341, 323, 324, 307, 504, 379, 147, 148, 149 of the Indian Penal Code.

Allegedly, the petitioner No. 1 gave *Farsa* blow on the head of informant whereas the petitioner No. 2 is alleged to have given *Farsa* blow on one Amarjeet Yadav.

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 nature of injury is said to be simple. Hence, no offence u/S 307 of the Indian Penal Code is made out. The case has been instituted after delay of three days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution.

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, 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 furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No. 181 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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

