

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22199 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- RAHUI District- Nalanda

1. SHARWAN YADAV @ SHARWAN KUMAR YADAV S/o Late Jawahir Yadav R/o village- Garai Bigha, P.S.- Rahui (Wena), District- Nalanda
2. Santosh Yadav S/o Late Jawahir Yadav R/o village- Garai Bigha, P.S.- Rahui (Wena), District- Nalanda
3. Chhotu Yadav S/o Late Jawahir Yadav R/o village- Garai Bigha, P.S.- Rahui (Wena), District- Nalanda
4. Suresh Yadav S/o Late Ramashish Yadav R/o village- Garai Bigha, P.S.- Rahui (Wena), District- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh
For the Opposite Party/ : Mr.Akshaylal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 23-02-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in connection with Rahui (Wena) P.S. Case No. 188 of 2020, registered for the offences punishable under Sections 341, 323, 354(b), 308, 379, 504, 506, 34 of the Indian Penal Code.

As per *fardbeyan*, some dispute arose between both the parties relating to connection of electricity. Thereafter, as per allega-



tion the accused persons entered into the house of the informant and they misbehaved and manhandled his daughter. Co-accused Sharwan Yadav assaulted the informant with the butt of pistol which hit on his eyebrow. They took away some articles and cash from his house.

Learned counsel for the petitioner has submitted that *fard-beyan* itself shows that there was dispute between both the parties relating to electricity connection and it was the reason that the petitioners were arrayed as accused.

On the other hand, learned Addl.P.P. assisted by the learned counsel for the informant, has submitted that witnesses in paragraph Nos. 6, 7 and 8 have supported the alleged offence.

In the order of learned Sessions Judge, Nalanda, Bihar-sharif, it has been mentioned that independent witnesses in paragraph Nos. 46, 47 and 48 of the case diary have denied the factum of entering into the house of the informant, rather they have supported the factum of assault.

Considering the above-mentioned facts and circumstances as well as the nature of allegation, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Nalanda at Biharsharif in connection with Rahui (Wena) P.S. Case No. 188 of 2020, subject to the conditions as laid down under Section 438(2)



Cr.P.C.

Office shall ensure that all defects are removed by the pe-
titioners within the stipulated time provided in para-1 hereinabove,
failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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