

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 26724 of 2021**

Arising Out of PS. Case No.-349 Year-2020 Thana- BARH District- Patna

1. NAGESHWAR YADAV S/o Late Ram Sakal Yadav R/o village- Dumariya, P.S.- Barh, District- Patna
2. Rajeev Yadav @ Rajeev Kumar S/o Nageshwar Yadav R/o village- Dumariya, P.S.- Barh, District- Patna
3. Batoran Yadav @ Batoran Kumar S/o Nageshwar Yadav R/o village- Dumariya, P.S.- Barh, District- Patna
4. Raushan Yadav S/o Nageshwar Yadav R/o village- Dumariya, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Kashyap

For the Opposite Party/s : Mr. Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

9      09-11-2022      Learned APP for the State has filed a counter affidavit in the present case. Let it be kept on the record.

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. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323,



325, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners along with other co-accused are said to have assaulted the informant and also snatched a golden chain and one mobile from the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the State has filed a counter-affidavit enclosing the injury report of the victim in compliance of the order dated 12.10.2022.

Considering the facts and circumstances of the case and the fact that injuries found upon the victim is simple in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Barh P.S. Case No. 349 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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