

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28162 of 2021

Arising Out of PS. Case No.-698 Year-2020 Thana- BARACHATTI District- Gaya

1. VIJAY YADAV S/O Pachan Yadav Resident of Village - Chhotaka Sharma Khurd, P.S. - Barachatti, District - Gaya.
2. Lallu Yadav @ Umesh Kumar S/o Vijay Yadav Resident of Village - Chhotaka Sharma Khurd, P.S. - Barachatti, District - Gaya.
3. Pramod Yadav @ Pramod Kumar S/O Vijay Yadv Resident of Village - Chhotaka Sharma Khurd, P.S. - Barachatti, District - Gaya.
4. Pachan Yadav S/O Late Govind Yadav Resident of Village - Chhotaka Sharma Khurd, P.S. - Barachatti, District - Gaya.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha

For the Opposite Party/s : Mr. Rampriya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner nos.1 & 2 submitting that during pendency of this



application, they have already been arrested and now he will press this only in respect of petitioner nos.3 & 4.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner nos.1 & 2.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 504, 506 and 379 of the Indian Penal Code.

Petitioners are said to have assaulted the son of the informant by means of lathi, danda and rod and he sustained head injury.

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. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the petitioners and informant are neighbour and near relative and due to hot exchange of words they started quarreling but soon after they realized their fault, they entered into a compromise and filed a compromise petition. The injury sustained by the son of the informant is simple in nature. Petitioners have no criminal antecedent.



Having regard to the facts and circumstances of the case, let the above named petitioner nos.3 & 4, 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 lower Court where the case is pending/successor Court in connection with Barachatti P.S. Case No. 698 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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