

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20052 of 2022

Arising Out of PS. Case No.-216 Year-2020 Thana- LAUKAHI District- Madhubani

1. HARI PARSHAD YADAV @ HARI PRASAD YADAV S/o Late Bhagwan Datta Yadav R/o village- Dhabahi, P.S.- Laukahi, District- Madhubani
2. Ramesh Kumar Yadav @ Ramesh Yadav S/o Furti Lal Yadav R/o village- Dhabahi, P.S.- Laukahi, District- Madhubani
3. Shiv Kumar Yadav @ Shiv Narayan Tadav S/o Furti Lal Yadav R/o village- Dhabahi, P.S.- Laukahi, District- Madhubani
4. Rajdeo Yadav S/o Rajendra Yadav R/o village- Dhabahi, P.S.- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner no. 1.

Permission is accorded.

The petitioner nos. 2, 3 and 4 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 379, 307, 447, 504 and 34 of the Indian Penal Code and Section 25 (1-b) and 26 of the Arms Act.



The informant alleges that on 21.11.2020 at 3:00 pm on account of previous dispute, seven accused persons including the petitioners with ten unidentified accused came variously armed and started using abusive language and when she protested, Hari Prasad (petitioner no. 1) pulled her *saree* which was torn, Ramesh Yadav (petitioner no. 2) snatched informant's earring, Shiv Kumar Yadav (petitioner no. 3) snatched her silver locket and when her family members came to save her, they were also assaulted.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is also submitted that no specific overt act has been alleged against petitioner no. 4 and as far as allegation of disrobing and snatching the ornaments of the informant is alleged, the same is ornamental in nature as from the FIR itself it would manifest that there was a dispute between the petitioner and the informant from before. Learned counsel next submits that allegation of assaulting with butt of pistol is ornamental and the injury is also simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned



counsel for the petitioners, the petitioner nos. 2, 3 and 4, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laukahi P.S. Case No. 216 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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