

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31796 of 2021**

Arising Out of PS. Case No.-87 Year-2020 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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1. RAMASHRAY YADAV S/o Bhupi Yadav Resident of Village- Bahera, P.O. and P.S.- Kusheshwar Asthan, District- Darbhanga.
  2. Ram Sakal Yadav S/o Bhupi Yadav Resident of Village- Bahera, P.O. and P.S.- Kusheshwar Asthan, District- Darbhanga.
  3. Amarjeet Yadav S/o Late Sitaram Yadav Resident of Village- Bahera, P.O. and P.S.- Kusheshwar Asthan, District- Darbhanga.
  4. Ranjeet Yadav S/o Late Jagdish Yadav Resident of Village- Bahera, P.O. and P.S.- Kusheshwar Asthan, District- Darbhanga.
  5. Rahul Yadav S/o Late Ram Shringar Yadav Resident of Village- Bahera, P.O. and P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                 |
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| For the Petitioner/s     | : | Mr.Binay Kumar Pandey, Adv.     |
| For the Opposite Party/s | : | Mr. Shailendra Kumar Singh, APP |
| For the informant        | : | Mr. G. C. Jha, Advocate.        |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      07-03-2022                      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 four weeks.

By order dated 26-11-2021, the prayer for anticipatory  
bail of the petitioner No. 4 namely, Ranjeet Yadav has already  
been dismissed as withdrawn.

The petitioner nos. 1,2, 3 & 5 are apprehending their



arrest in Kusheshwar Asthan P.S. Case No. 87 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Prosecution case in short is that in the night of 11-04-2020 while the informant was taking meal in his courtyard, approximately 40 miscreants armed with various weapons entered into the court courtyard. Jiwachh Yadav pointed three-nut in the chest of informant. Ramanand Yadav and Amarjeet Yadv assaulted the informant by means of butt of three-nut. Other co-accused inflicted farsa blow on daughter of the informant causing head injury.

It has been submitted on behalf of the petitioner nos. 1,2, 3 & 5 that the petitioner No. 3 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 1,2, 3 & 5. The petitioner nos. 1,2, 3 & 5 have been falsely implicated in the present case. There is case and counter case between the parties. Due to land dispute, 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 prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner nos. 1,2, 3 & 5 are named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances of the case, the petitioner nos. 1,2, 3 & 5, 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-IV, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 87 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.//-

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