

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35910 of 2021

Arising Out of PS. Case No.-451 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

1. KRISHNA YADAV @ KISHAN YADAV Son of Brijnath Yadav Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
2. Munilal Chaudhary @ Munilal Yadav Son of Late Mahendra Chaudhary Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
3. Bablu Kumar Yadav @ Bablu Yadav Son of Shambhu Yadav Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
4. Brijnath Chaudhary Son of Late Mahendra Chaudhary Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
5. Jawahar Chaudhary Son of Late Mahendra Chaudhary Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
6. Manu Yadav Son of Jawahar Chaudhary Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
7. Mukesh Yadav Son of Jawahar Chaudhary Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
8. Dipu Yadav Son of Shambhu Chaudhary @ Shambhu Yadav Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.
9. Pawan Yadav Son of Late Sabha Yadav Resident of Village - Hem Bardaha, P.S.- Kuchaikote, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr.Sunil Kumar Pandey, APP
For the Informant	:	Mr. Fazle Karim, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-03-2022 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.



Vide order dated 23.12.2021, the present anticipatory bail application in respect of petitioner nos. 1, 2, 4, 5, 6 and 7 has already been dismissed as withdrawn.

The petitioner nos. 3, 8 and 9 are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 326, 379, 504, 506/34 of the Indian Penal Code in which section 302 IPC was added later on.

The prosecution case, in short, is that the accused persons including the petitioners assaulted the informant and family members due to which they sustained injuries and later one of the injureds succumbed to the injuries.

It has been submitted on behalf of the petitioner nos. 3, 8 and 9 that petitioner no. 9 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner nos. 3, 8 and 9. The petitioner nos. 3, 8 and 9 have falsely been implicated in the present case. Specific allegation of assault is alleged against Shambhu Yadav and Mukesh Yadav who are said to have assaulted the deceased. So far petitioner nos. 3, 8 and 9 are concerned, there is no specific allegation of assault alleged against them. General and omnibus allegation has been made against the petitioner nos. 3, 8 and 9.

On behalf of the State and the informant, it is



submitted that the petitioner nos. 3, 8 and 9 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 3, 8 and 9, above named, in the event of arrest/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 A.C.J.M.- VII, Gopalganj in connection with Kuchaikot P.S. Case No. 451/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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