

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34382 of 2021

Arising Out of PS. Case No.-623 Year-2017 Thana- RAJAON District- Banka

1. SUKAL YADAV Son of Late Damodar Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
2. Sintu Yadav Son of Sukal Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
3. Sajan Kumar Son of Sukal Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
4. Birendra Yadav Son of Sukal Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
5. Anjani Devi Wife of Pintu Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
6. Dipak Yadav Son of Late Labbu Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.
7. Kishor Yadav Son of Late Shankar Yadav Resident of Village - Chakroshan, P.S.- Rajoun, District Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Md. Nurul Hoda, Advocate
For the Opposite Party	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 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.

The petitioners are apprehending their arrest in Rajoun P.S. Case No. 623 of 2017 registered for the offence under



Sections 147, 1149, 341, 323, 308, 504, 506 of the Indian Penal Code.

Prosecution case in brief is that while the informant was working in his field, the petitioners and others came having Lathi, Khanti, iron rod and started abusing. On protest, the petitioners are said to have assaulted the informant with intention to kill. While the son and the wife of the informant came to rescue the informant, they were also assaulted. A golden chain is also said to have been snatched away.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. No grievous injury is said to have been caused in course of the occurrence. The case has been instituted after five days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution. Prior to institution of the present case, a case was instituted by the petitioners' side also against the informant and others.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the



case, the petitioners, 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 Judicial Magistrate-Ist Class, Banka in connection with Rajoun P.S. Case No. 623 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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