

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26699 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- MADANPUR District- Aurangabad

1. Nagendra Kumar @ Nagendra Yadav S/O Suresh Yadav R/O Village- Maya Bigha, P.S. - Madanpur, District - Aurangabad, Bihar.
2. Sanjay Yadav @ Karmu Yadav S/O Salik Ram Yadav R/O Village- Maya Bigha, P.S. - Madanpur, District - Aurangabad, Bihar.
3. Jitendra Yadav S/O Suresh Yadav R/O Village- Maya Bigha, P.S. - Madanpur, District - Aurangabad, Bihar.
4. Jitendra Yadav @ Gitendra Yadav @ Gitendra Yadav S/O Salik Ram Yadav R/O Village- Maya Bigha, P.S. - Madanpur, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2022 At the very outset, learned counsel for the petitioners

seeks permission to withdraw the bail petition of petitioner no.1.

Permission is accorded.

Accordingly, the bail petition of petitioner no.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 2, 3 and 4 and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 354, 307 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, it is a case of assault upon the informant by means of butt portion of the pistol and one Pinki Devi was also assaulted by the accused persons.



It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that specific allegation of assault is against co-accused Nagendra Kumar @ Nagendra Yadav (petitioner no.1 whose petition has been dismissed as withdrawn) and not against these petitioners. There is case and counter case between the parties and both parties have sustained injuries, as alleged, in the separate occurrence.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, namely, Sanjay Yadav @ Karmu Yadav, Jitendra Yadav and Jitendra Yadav @ Gitendra Kumar @ Gitendra Yadav, in the event of their arrest or surrender before the court below within a period of four 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 CJM, Aurangabad, Bihar in connection with Madanpur P.S. Case No. 80 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Brajesh Kumar/-

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(Sunil Kumar Panwar, J)

