

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40198 of 2021**

Arising Out of PS. Case No.-257 Year-2020 Thana- KATORIYA District- Banka

1. Naresh Yadav
2. Laxman Yadav @ Lakshman Yadav
3. Sanjay Yadav
All sons of Sukdev Yadav, Resident of Village - Sijua, P.S. - Katoria, District - Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-02-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned A.P.P. for the State.

Petitioners, in the present case, are seeking regular bail in connection with Katoriya P.S. Case No. 257 of 2020 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 324, 379/34 of the Indian Penal Code . They are in custody since 07.06.2021 having no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, on 12.12.2020, all these



petitioners and others had assaulted the wife of the informant due to land dispute and when the informant and his son intervened to rescue they were also assaulted by these petitioners with iron rod as a result of which they sustained injuries on their head.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that the dispute has taken place between the petitioners and the step-brothers and the injuries caused to the other side are simple in nature caused by hard and blunt substance.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein the disputes is stated to be between the petitioners and the step-brothers and the injuries caused to the other side are simple in nature caused by hard and blunt substance as also that the petitioners have remained in custody in connection with this case since 07.06.2021 and they have otherwise no criminal antecedent, this court directs release of the petitioners above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Katoriya P.S. Case No. 257 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

