

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32557 of 2022

Arising Out of PS. Case No.-96 Year-2020 Thana- BIRAUL District- Darbhanga

-
1. BAJRANGBALI YADAV S/o Tale Yadav Resident of Village- Neuritol Dath, P.S.- Biraul, District- Darbhanga.
 2. Mababali Yadav S/o Tale Yadav Resident of Village- Neuritol Dath, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

Petitioners and other accused persons are said to have assaulted the informant by means of iron rod and farsa and surrounded the gamchha in the neck of the informant as a result of which he became senseless and fell down.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the injury found upon the victim is simple in nature. He submits that there is specific overt act against the co-accused Rajbali Yadav. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the alleged occurrence took place on 27.03.2020 whereas the F.I.R. was lodged on 01.04.2020 after a delay of more than 5 days which creates serious doubt of the prosecution case. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner and the injuries are simple in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court



in connection with Biraul P.S. Case No. 96 of 2020, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Ajay, devendra/-

U		T	
---	--	---	--

