

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32647 of 2022

Arising Out of PS. Case No.-543 Year-2021 Thana- NATHNAGAR District- Bhagalpur

1. KETU YADAV @ YOGENDRA @ KECHU YADAV SON OF SURESH YADAV R/O VILLAGE- RAGHOPUR (NURPUR), P.S.- NATHNAGAR, DISTRICT- BHAGALPUR
2. RAJA YADAV SON OF SURESH YADAV R/O VILLAGE- RAGHOPUR (NURPUR), P.S.- NATHNAGAR, DISTRICT- BHAGALPUR
3. BHAWESH KUMAR @ BIBHISAN YADAV SON OF SURESH YADAV R/O VILLAGE- RAGHOPUR (NURPUR), P.S.- NATHNAGAR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-12-2022 Heard the learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 341, 323, 307, 379, 504, 506/34 of the IPC.

Allegedly, all the petitioners were assaulting to one Dharmendra Yadav and when the informant went to rescue him then the accused persons caught him and petitioner no.2 gave knife blow on his hydrocele as a result of the assault, the informant became seriously injured. They also snatched silver chain from the neck of informant.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case and the allegations as mentioned in the FIR are false and concocted. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner nos. 1 & 3. There is specific allegation against the petitioner no.2 of assaulting the informant by means of knife. Petitioners have no criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos. 1 & 3, let the above named petitioner nos. 1 & 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Nathnagar (Madhusudanpur) P.S. Case No.543 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, there is specific allegation against the petitioner



no.2, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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