

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33329 of 2022

Arising Out of PS. Case No.-8 Year-2018 Thana- DHANKUND District- Banka

1. CHHATISH YADAV Son of late Moti Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
2. Muni Lal Yadav Son of Chhatish Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
3. Rajesh Yadav Son of Battish Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
4. Karu Yadav Son of Prayag Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
5. Prayag Yadav Son of Late Guthari Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
6. Sanjay Yadav Son of Prayag Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
7. Monika Devi W/o Prayag Yadav Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.
8. Pankaj Kumar Singh Son of Late Shaligram Singh Resident of Village - Bajardih, P.s.- Khankund, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered



for the offence punishable under section 147, 148, 341, 323, 435, 436, 504, 506/34 of IPC.

Allegedly, due to altercation between the children, the petitioners assaulted the informant. It is further alleged that after assaulting, the petitioners locked the informant in his house and set his house on fire intending to kill him along with his whole family members.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. There is a case and counter-case between the parties. Petitioner no.1 and 3 have no criminal antecedent and petitioner nos. 2, 4, 5, 6, 7 and 8 have four criminal antecedent.

Having regard to the facts and circumstances of the case, and keeping the view the criminal antecedent of the petitioners, I am not inclined to enlarge petitioner nos. 2, 4, 5, 6 and 8 on bail. The application for grant of anticipatory bail on their behalf is hereby rejected.



Since, the petitioner no.7 is a lady and there is a general and omnibus allegation against the petitioner nos. 1 and 3, let them 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 Dankund P.S. Case No.08 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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