

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33097 of 2022

Arising Out of PS. Case No.-336 Year-2020 Thana- ALOULI District- Khagaria

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1. Baijnath Yadav Son Of Late Dinesh Yadav Resident Of Village- Chikni, Police Station- Alauli, District- Khagaria.
 2. Niraj Yadav Son Of Late Dinesh Yadav Resident Of Village- Chikni, Police Station- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 308, 379 and other allied sections of the Indian Penal Code. Later on, section 307 IPC was added.

As per the prosecution case, on the alleged date and time of occurrence, all the accused persons including petitioners assaulted the informant and her family members.

It is submitted that specific allegation of assault is against co-accused Udyeshwa Yadav and Rajesh Yadav. So far as these petitioners are concerned, there is general and omnibus



allegation and no specific overt act has been alleged against them. It is further submitted that entire prosecution case is falsified as informant and her sons are aggressors and they started altercation for which Complaint Case No. 626C of 2020 has been lodged by co-accused Udesb Yadav. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 336 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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