

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43571 of 2021**

Arising Out of PS. Case No.-42 Year-2020 Thana- HASPURA District- Aurangabad

1. JITENDRA YADAV @ JITU Son of Late Yadunandan Yadav Resident of Village - Mauari, P.S.- Haspura, District - Aurangabad.
2. Lavkush Yadav @ Lav Kush Kumar Son of Umesh Yadav Resident of Village - Mauari, P.S.- Haspura, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar  
For the Opposite Party/s : Mr.Jagdhari Prasad

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      01-02-2022

Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners, who is in custody since 06.05.2021, seek regular bail in connection with Haspura P.S. Case No. 42 of 2020, for the offence punishable under Sections 147, 149, 341, 323, 307 and 504/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant Raushan Kumar, son of Satyendra Sharma, who is in Indian Air Force Service, he came to his house on vacation, at 6.00 P.M when he was returning after walk from the farm, in the meantime, accused Jitendra Yadav @ Jitu (Petitioner No.1), Munna Yadav, Vikas Yadav,



Lav Kush Yadav (Petitioner No.2), Jainandan Yadav, Dilip Yadav, Bipul Yadav, Vikas Yadav, Ranjeet Yadav, Ajeet Yadav, Ranjan Yadav, Pawan Yadav, Anil Yadav, Gabbar Yadav and others started abusing and assaulting the informant. The accused persons chased the informant till his door, on noise, other family members of the informant came out of their house , they asked what happened then accused persons started assaulting to Satyendra Sharma, Raushan Sharma, Golu Gautam Sharma and others, Informant's head injured badly and bled, his hand cut and bled, informant's other family members also severely injured. All the injured persons were taken to the Referral Hospital, where they medically treated. Informant further stated that he and all his family members in danger of their life. Thereafter, Haspura P.S. Case No. 42 of 2020, under Sections 147, 149, 341, 323, 307 and 504/34 of the Indian Penal Code was lodged.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in this case due to dirty village politics. He further submits that other co-accused have already been enlarged on anticipatory bail vide order dated 29.07.2021 passed in Criminal Miscellaneous No. 2927 of 2021 and Criminal Miscellaneous No. 727 of 2020.

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

Considering the above mentioned facts and



circumstances of the case, the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 42 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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