

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36317 of 2022

Arising Out of PS. Case No.-145 Year-2020 Thana- RAHIKA District- Madhubani

1. ASHOK YADAV S/O LATE DHANESHWAR YADAV Resident of Village- Hussainpur, P.S.- Rahika, District- Madhubani.
2. RAJESH YADAV S/O LAXMI YADAV Resident of Village- Hussainpur, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 38506 of 2022

Arising Out of PS. Case No.-145 Year-2020 Thana- RAHIKA District- Madhubani

1. GANESH YADAV S/O LAXMI YADAV Resident of village- Hussainpur, P.S.- Rahika, District- Madhubani.
2. LAXMI YADAV S/O MUNNI LAL YADAV Resident of village- Hussainpur, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36317 of 2022)

For the Petitioners : Mr. Gagandeo Yadav
Mr. Ravi Prakash

For the Opposite Party/s : Md. Sufyan

(In CRIMINAL MISCELLANEOUS No. 38506 of 2022)

For the Petitioners : Mr. Gagandeo Yadav
Mr. Ravi Prakash

For the Opposite Party/s : Mr. Mithilesh Kumar Khare
Md. Soban Asghar
Mr. Sarfraz Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 As both these bail applications have cropped up from
the same police station case number, hence, with consent of



parties, they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

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

As prayed, learned counsel for the petitioners is permitted to make correction in paragraph-3 of Cr. Misc. No.38506 of 2022 during course of the day.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 379, 307, 354B, 504 & 506 of the Indian Penal Code.

All the F.I.R. named accused persons including these petitioners variously armed are said to have come to the house of the informant and abused and assaulted the informant and his family members.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of about one month in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application, except petitioner no.1-Ganesh Yadav of Cr. Misc. No.38506 of 2022.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Rahika P.S. Case No.145 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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