

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47066 of 2021

Arising Out of PS. Case No.-293 Year-2020 Thana- BABUBARHI District- Madhubani

1. NAGESHWAR YADAV S/o RAJ LAL YADAV R/o VILLAGE-KHADAGWANI, P.S-BABUBARHI, DISTRICT-MADHUBANI.
2. JAGDISH YADAV S/o NAGESHWAR YADAV R/o VILLAGE-KHADAGWANI, P.S-BABUBARHI, DISTRICT-MADHUBANI.
3. NEELAM DEVI W/o NAGESHWAR YADAV R/o VILLAGE-KHADAGWANI, P.S-BABUBARHI, DISTRICT-MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham
For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 04-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.1

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no.1.**



Petitioner nos. 2 and 3 apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 354(A), 379, 504 and 506/34 of the Indian Penal Code, registered in connection with Babubarhi P.S.Case No. 293 of 2020.

As per allegation, the accused persons including the petitioners abused the informant and petitioner no.2 assaulted her with iron rod on her head.

Learned counsel for the petitioners has submitted that they are persons of clean antecedent.

The injury report was called for which shows that lacerated wound was found on the person of the informant and the opinion of the doctor was reserved as the patient was referred to Sadar Hospital. The report of I.O. dated 23.07.2022 is annexed with the record which shows that the injured Pawan Devi did not go to the District Hospital, Darbhanga for her treatment.

Considering the above facts and circumstances as well as clean antecedent of petitioner nos. 2 and 3, let them, above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released 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 learned ACJM, Madhubani in connection with Babubarhi P.S.Case No. 293 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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