

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70129 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- HUSSAINGANJ District- Siwan

1. BALAK YADAV @ BALAK CHAUDHARY @ BINAY KUMAR Son of Late Ramlagan Chaudhary Resident of Village - Pachimi Harihans, P.S.- Hussainganj, District - Siwan
2. Ramchandra Yadav @ Ramchandra Chaudhary Son of Late Ramlagan Chaudhary Resident of Village - Pachimi Harihans, P.S.- Hussainganj, District - Siwan
3. Amarjeet Yadav Son of Ramchandra Yadav @ Ramchandra Chaudhary Resident of Village - Pachimi Harihans, P.S.- Hussainganj, District - Siwan
4. Nathuni Chaudhary Son of Late Raktu Chaudhary Resident of Village - Pachimi Harihans, P.S.- Hussainganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned counsel for the informant.

At the outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 3, Amarjeet Yadav has been granted regular bail and, as such, it has become infructuous with respect



to him. He, therefore, seeks permission to withdraw this petition with respect to him.

In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 3.**

So far as petitioner nos. 1, 2 and 4 are concerned, they apprehend their arrest in connection with Hussainganj P.S. Case No. 37 of 2021 registered for offence punishable under sections 341, 323, 324, 325 and 307/34 of the Indian Penal Code.

As per allegation, when the informant went out of his house to ease himself, petitioner no. 1 assaulted him with lathi on his head. Petitioner nos. 2 and 4 assaulted him on his right hand and he sustained fracture injury. Petitioner no. 3 assaulted with *khanti* on his eye and he sustained fracture injury.

The learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedents.

On the other hand, the learned counsel for the informant has submitted that four accused persons including the petitioners badly assaulted the informant, who sustained two grievous injuries on his person.

Considering the above-mentioned facts and circumstances, **petitioner nos. 1, 2 and 4 do not deserve the privileges of anticipatory bail. Accordingly their prayer for**



anticipatory bail is hereby rejected.

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

(Nawneet Kumar Pandey, J)

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