

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50931 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- PAUTHU District- Aurangabad

1. ARVIND KUMAR YADAV Son of Bhola Yadav R/o- House No. 13/B, Yadav Bhawan, Gurudwara Basti, Sakchi, Near Shiv Mandir, P.S.- Sakchi, Dist.- East Sinhbhum, Jharkhand- 831001.
2. Saurabh Kumar Jha Son of Amit Kumar Jha R/o- Manigachi, P.S.- Manigachi, Dist.- Darbhanga, Bihar.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-06-2022 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.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354A, 379, 307, 504 & 506/34 of the Indian Penal Code.

Petitioners are said to have tried to forcibly kidnap the informant and taken away him at a lonely place and when



the informant opposed they assaulted him over his head and other parts of his body by knife sustaining injury to him. When the informant's wife rushed in his rescue the petitioners tried to outrage her modesty and snatched the golden chain and mangalsutra.

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 five days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. There is case and counter case between the parties. The injury sustained by the informant is simple in nature. Petitioners have no criminal antecedent.

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 Pauthu P.S. Case No.43 of 2021, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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