

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43442 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- ANTICHAK District- Bhagalpur

1. PRABHU YADAV Son of Late Vineshwar Yadav @ Late Vindeshwari Yadav @ Late Bindeshwari Yadav Resident of Village - Birbanna, P.s.- Antichak, Distt.- Bhagalpur.
2. Manoj Yadav Son of Vineshwar Yadav @ Vindeshwari Yadav @ Bindeshwari Yadav Resident of Village - Birbanna, P.s.- Antichak, Distt.- Bhagalpur.
3. Yogi Yadav @ Yogendra Yadav Son of Prabhu Yadav Resident of Village - Birbanna, P.s.- Antichak, Distt.- Bhagalpur.
4. Kundan Yadav @ Kundan Kumar Yadav @ Kundan Kumar Son of Prabhu Yadav Resident of Village - Birbanna, P.s.- Antichak, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar.

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 448, 323, 354, 506 and 34 of the Indian Penal Code and Section 11 of the Animal Cruelty Act, 1960.

As per the F.I.R., she-goat of the informant started eating Kutti of accused Prabhu Yadav on which he cut the mouth of she-



goat with Gandashi. Thereafter, petitioners came at the door of informant and started assaulting and pressing the neck of the son of informant on which his son fell down.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the date of occurrence is 17.05.2021 but the F.I.R. lodged on 23.04.2022 after a delay of more than 11 months. He further submits that there is no explanation of delay of filing of said F.I.R. which creates serious doubt on the prosecution story. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Antichak P.S. Case No. 23/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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