

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44188 of 2022**

Arising Out of PS. Case No.-20 Year-2022 Thana- KARANDAY District- Sheikhpura

1. BALMIKI YADAV S/O SAHDEO YADAV, R/o village- Siyani, P.S.- Karandey, District- Sheikhpura.
2. BIPIN KUMAR @ BIPIN KUMAR YADAV S/O BIPIN YADAV, R/o village- Siyani, P.S.- Karandey, District- Sheikhpura.
3. NAGESHWAR YADAV S/O LATE RAGHO YADAV, R/o village- Siyani, P.S.- Karandey, District- Sheikhpura.
4. RAMBALAK YADAV S/O BASO YADAV, R/o village- Siyani, P.S.- Karandey, District- Sheikhpura.
5. RAVIR KUMAR @ RANVIR YADAV S/O NAGESHWAR YADAV, R/o village- Siyani, P.S.- Karandey, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

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

ORAL ORDER

2      08-09-2022                      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 criminal miscellaneous petition, petitioner no. 1 has been arrested, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this criminal miscellaneous petition with respect to petitioner no.1.



Permission is accorded and **this petition is dismissed as withdrawn with respect to petitioner no. 1.**

So far as petitioner nos. 2 to 5 are concerned, they apprehend their arrest in connection with Karandey P.S. Case No. 20 of 2022 registered for offence punishable under sections 147, 341, 323, 448, 354 (A), 307, 379, 504 and 506 of the Indian Penal Code.

As per allegation, the seven named accused persons entered into house of the informant. They were armed with *lathi, danda, rod, khanti* and country-made pistol. The specific allegation against petitioner no. 4 is that he assaulted the informant with rod on her left leg. Petitioner no. 2 and co-accused Sahdeo assaulted the husband of the informant and made them injured. The allegation against petitioner no. 5 is that he assaulted Kiran Kumari.

The learned counsel for the petitioners has submitted that there is case and counter case and both the parties have sustained injuries.

On the other hand, the learned counsel for the informant has opposed the prayer for bail.

The specific allegation against petitioner no. 2 is of assaulting husband of the informant and as per medical report, he sustained grievous injuries.



Considering the above-mentioned facts and circumstances, **the prayer for anticipatory bail with respect to petitioner no. 2 is rejected.**

So far as petitioner nos. 3 to 5 are concerned, their prayer for anticipatory bail is allowed. **Let petitioner nos. 3 to 5**, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Karandey P.S. Case No. 20 of 2022, subject to condition as laid down under section 438(2) Cr. P.C.

If petitioner no. 2 surrenders before the court below and makes a prayer for regular bail, that shall be disposed of without being prejudiced by this order.

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)**

Mahesh/-

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