

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54113 of 2021

Arising Out of PS. Case No.-277 Year-2021 Thana- BRAHMPUR District- Buxar

1. SHIV KUMAR YADAV SON OF LATE CHHAWAI YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
2. KAMALBAS YADAV SON OF HARISHANKAR YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
3. SHIVNARAYAN YADAV SON OF CHHAWAI YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
4. RUNA DEVI WIFE OF HARISHANKAR YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
5. FULKUMARI DEVI WIFE OF GORAKH YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
6. SANTOSH YADAV SON OF SHIV KUMAR YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
7. VISHAL YADAV SON OF DHURENDHAR YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
8. GOLU YADAV SON OF GORAKH YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
9. RUNI DEVI WIFE OF LATE SANJAY YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR
10. GORAKH YADAV SON OF LATE CHHAWAI YADAV R/O VILLAGE- BADKI NAINIJORE, P.S.- BRAHMPUR (NAINIJORE O.P.), DIST.- BUXAR

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2022 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 147/149/341/324/354B/378/504&506 of the Indian Penal Code.

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 case and counter case between the parties. There is inordinate and abnormal delay of one and half months in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay. There is neither injury report on record nor the learned Court below has mentioned it in impugned order. 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 Brahmpur (Nainijore O.P.) P.S. Case No.277 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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