

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44593 of 2022

Arising Out of PS. Case No.-318 Year-2021 Thana- SUPAUL District- Supaul

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1. Ramnath Yadav Son Of Late Maheshwari Yadav R/O Village- Lakhnipatti, Tola- Purain Ward No.14, P.S.- Suapul, District- Supaul
 2. Dashan Mukhiya @ Yashmant Mukhiya Son Of Mahendra Mukhiya R/O Village- Lakhnipatti, Tola- Purain Ward No.14, P.S.- Suapul, District- Supaul
- Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 354B, 427, 429, 328, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case, petitioner no.2 is a person with clean antecedent and the informant alleges that her husband works in foreign, further she has a pond and came to know that petitioner no.1 has put poison in her pond and was fishing, accordingly she reached the place of occurrence and on protest, she was abused by Ramnath who even made her semi-naked and took fish worth Rs. 40,000/-.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is



next submitted that the date of occurrence is 13.04.2021 and the FIR came to be instituted on 24.04.2021 i.e., after a delay of more than 10 days without any plausible explanation, it is next submitted that it absolutely does not stand to reason that when it is alleged that petitioner no.1 has poisoned the pond then why he would have taken the fish along with himself, it is further submitted that there is a dispute relating to pond based on which the present case came to be instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Supaul P.S. Case No. 318 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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