

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55645 of 2021

Arising Out of PS. Case No.-111 Year-2019 Thana- SISWAN District- Siwan

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1. SACHIN KUMAR YADAV @ SACHIN YADAV, S/O- Daroga Yadav Resident of Village - Madhopur, P.S. - Siswan, Dist. - Siwan.
 2. Munshi Yadav S/O- Hardeo Yadav Resident of Village - Madhopur, P.S. - Siswan, Dist. - Siwan.
 3. Daroga Yadav S/O- Hardeo Yadav Resident of Village - Madhopur, P.S. - Siswan, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-06-2022 Heard the learned counsel for the petitioners and

the State.

The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Siswan P. S. Case No. 111 of 2019, registered for the offences punishable under Sections 147, 341, 323, 324, 354, 379, 504 and 34 of the Indian Penal Code.

As per the allegation, the wife and the children of the informant was assaulted by the petitioner and other accused persons by means of tanga and hasua, causing



injuries on their body. The allegation of taking away Mangal Sutra of the elder daughter of the informant by the accused persons is also there.

The learned counsel for the petitioners has submitted that the injuries suffered by the victim are simple in nature. There is a counter case also *vide* Siswan P. S. Case No. 110 of 2019, which was lodged by the present petitioner. The learned counsel has further submitted that there is a land dispute between the parties and to feed fat the old grudge, the present case has been lodged against the petitioner.

It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

It has further been stated that the petitioners have no criminal antecedent.

The learned APP for the State has opposed the prayer for bail.

Considering the aforesaid facts and



circumstances, the petitioners above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Sri Anurag Mishra, Judicial Magistrate, Siswan, in connection with Siswan P. S. Case No. 111 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.



The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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