

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48378 of 2022

Arising Out of PS. Case No.-205 Year-2022 Thana- BELHAR District- Banka

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1. MURARI YADAV @ DIWAKAR YADAV Son of Doman Yadav Resident of Village - Sarsadda, P.S.- Belhar, District - Banka.
 2. Mukesh Yadav @ Mukesh Kumar Yadav Son of Yogendra Yadav Resident of Village - Belhar Basti, P.S.- Belhar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is permitted to make
necessary correction in the name of father of petitioner No. 1 in
course of the day.

Supplementary affidavit has been filed on behalf of
the petitioners in respect of paragraph-3 in the main bail
application clarifying that there was a case earlier instituted
against the petitioners but police after investigation had
submitted final form and the said final form was accepted by the
court. Hence, no other criminal case is pending against the
petitioners.



Let the supplementary affidavit be kept on record.

Learned counsel for the petitioners is directed to remove the defect(s) as pointed out by the office within a period of four weeks.

The petitioners seek bail in a case registered under Sections-341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

Prosecution case in short is that while the informant along with his friend was monitoring the work on the land sold by him, the accused-petitioners and other came there and brutally assaulted them with iron rod, Khanti and Lathi due to which, they sustained severe injuries.

It has been submitted that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioner No. 1 is in custody since 02-06-2022 whereas the petitioner No. 2 is in custody since 15-06-2022. Charge sheet has already been submitted in this case. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. The specific allegation is alleged against the co-accused Doman Yadav and Siyaram Yadav.



On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 205 of 2022.

(Sudhir Singh, J)

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