

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59254 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- DARAUNDA District- Siwan

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1. DHARMENDRA YADAV S/o Chattu Lal Yadav Resident of Village- Pipra, P.S.- Dhuraunda, District- Siwan
 2. Vijay Yadav Son of Late Munnar Yadav Resident of Village- Pipra, P.S.- Dhuraunda, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Nilambari, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

Learned counsel for the petitioners seeks permission
of the Court to withdraw the present application in respect of
petitioner no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 2.

The petitioner no. 1 is apprehending his arrest in a



case registered under Sections 341, 323, 324, 307, 380, 354, 504, 34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons assaulted the informant and family members due to which they sustained injuries.

It has been submitted on behalf of the petitioner no. 1 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Siwan in connection with



Dhuruanda P.S. Case No. 134/2021, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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