

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49581 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- RUDRAPUR District- Madhubani

1. DINESH YADAV Son of Ramkripal Yadav Resident of village - Nanour, Tole - Dumariyahi, P.S.- Rudrapur, District - Madhubani
2. Ganesh Yadav Son of Ramkripal Yadav Resident of village - Nanour, Tole - Dumariyahi, P.S.- Rudrapur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-12-2022 This matter has been listed today for consideration through video conferencing.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Rudrapur P.S. Case No. 95 of 2022 registered for the offence punishable under Sections 341, 323, 324, 354 (B), 379, 504 and 34 of the Indian Penal Code.

It is alleged that petitioners have abused and assaulted the informant and her sister and Petitioner No. 1 tried to outrage



the modesty of his sister and Petitioner No. 2 snatched a golden chain from the informant's neck.

Learned counsel for the petitioners submits that due to land dispute this false case has been lodged to counter the case lodged by the father of petitioner against informant and others vide Rudrapur P.S. Case No. 96/22. He further submits that although there are criminal antecedent stated in petition but the petitioners are on bail in those cases. The charge-sheet has already been submitted and there is no independent witness to the alleged occurrence. Petitioners are in custody since 09.06.2022.

Learned APP for State opposed the regular bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Rubi Kumari, Judicial Magistrate, Jhanjharpur (Darbhanga)/Successor Court in connection with Rudrapur P.S. Case No. 95 of 2022, subject to following conditions:-

(i) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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