

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61517 of 2021

Arising Out of PS. Case No.-20 Year-2018 Thana- KARANDAY District- Sheikhpura

1. Binod Yadav @ Ravi Kumar Son of Dwarika Yadav Resident of Village- Kurmuri, P.S.- Karandey, District- Sheikhpura.
2. Yogendra Mahto @ Yogi Mahto @ Yog Mahto Son of Late Sadhu Sharan Mahto @ Sadhu Mahto Resident of Village- Jurawanpur Karari, Police Station- Jurawanpur, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque, Advocate.
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-06-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners seek anticipatory bail in connection with Karandey P.S. Case No. 20 of 2018, registered for the offences under Sections 353, 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission to withdraw this bail application on behalf of petitioner no. 2 namely Yogendra Mahto @ Yogi Mahto @ Yog Mahto.

Accordingly, this bail application on behalf of



petitioner no. 2, above named, is dismissed as withdrawn.

The main allegation against the petitioner no. 1 is that he and other co-accused persons assaulted the informant, who is said an incharge of Kurmuri Middle school and during the course of occurrence misbehaved with informant's wife.

The main submissions advanced by the learned counsel for the petitioner are that the allegation with regard to assaulting is general and omnibus against the petitioner and any specific overt act of this petitioner has not been mentioned and other allegations are ornamental and in fact, the informant who is incharge headmaster of the middle school has bad character and he misbehaved with daughters of two persons namely Pawan Yadav and Sanjay Yadav and thereafter the present case was was fabricated.

Learned APP has opposed the prayer of bail.

Having Considered the above submissions and mainly the fact that the main allegation with regard to assaulting is general and omnibus against this petitioner and any specific role of this petitioner has not been mentioned in the FIR in respect of said allegation accordingly, let the petitioner no. 1 above named,



in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Sheikhpura in connection with Karandey P.S. Case No. 20 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

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