

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15411 of 2021

Arising Out of PS. Case No.-361 Year-2019 Thana- BELHAR District- Banka

1. DILIP YADAV Son of Baso Yadav Resident of Village- Dhanjaorwa, P.S.- Belhar, District- Banka.
2. Kapil Yadav Son of Baso Yadav Resident of Village- Dhanjaorwa, P.S.- Belhar, District- Banka.
3. Nitish Kumar S/o- Dilip Yadav Resident of Village- Dhanjaorwa, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-01-2022 Heard Mr. Mritunjay Prasad Singh, learned

Advocate for the petitioners and the learned APP for the

State.

Mr. Singh seeks permission to withdraw the
application with respect to petitioner no. 1 (Dilip Yadav),
who has been arrested during the pendency of this
petition.

The application with respect to petitioner no. 1
is dismissed as having become infructuous.

The petitioners no. 2 and 3 seek bail in



anticipation of their arrest in connection with Belhar P.S. Case No. 361 of 2019 instituted for the offences under Sections 341, 323, 325, 307, 504, 506 and 34 of the Indian Penal Code.

The petitioners no. 2 and 3 are said to have assaulted the informant and his son over a dispute which according to the learned counsel for the petitioners was a trifle. Though two persons are said to have been injured but only one of them has received an injury, the assessment of which has not been made up till now, awaiting the CT Scan report. However, such injury is attributed specifically to petitioner no. 1 whose petition has become infructuous.

There is a counter version of the occurrence also in which persons from the side of the petitioners have been injured.

Regard being had to the aforestated facts, the petitioners no. 2 and 3 are directed to be released on bail, in the event of their arrest or surrender before the



court below within a period of four 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 361 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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