

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55613 of 2022

Arising Out of PS. Case No.-239 Year-2021 Thana- BARAULI District- Gopalganj

1. Sunaina Devi Wife of Birendra Yadav @ Virendra Yadav Resident of Village- Rupan Chhap, P.S.- Barauli, District- Gopalganj
2. Chhotelal Yadav Son of Ram Ashish Chaudhary Resident of Village- Rupan Chhap, P.S.- Barauli, District- Gopalganj
3. Anil Kumar @ Munu Yadav @ Manu Kumar Yadav @ Mannu Yadav @ Mannu Kumar Yadav Son of Birendra Yadav @ Virendra Yadav Resident of Village- Rupan Chhap, P.S.- Barauli, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

As per the prosecution case, while the informant's father was grazing his buffalo in the field of Sipahi Bhagat, petitioners in association with co-accused persons armed with Khad, Sword and gun came to the father of informant and slammed him on the ground and petitioner no. 3 caught the leg of informant's father, petitioner no. 2 caught his left hand and petitioner no. 1 caught his head. Thereafter, it is alleged that co-



accused Birendra Yadav cut away left hand of his father by Khad Sword.

It is submitted that no specific overt act has been alleged against these petitioners. Petitioners are alleged to have facilitated the alleged occurrence. The police after investigation submitted final form bearing Final Form No. 360/2021 dated 16.12.2021 against them showing that there is no material against them. Petitioners claim clean antecedents.

Counsel for informant however vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Judicial Magistrate Ist Class, Gopalganj in connection with Barauli P.S. Case No. 239 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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