

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69628 of 2021

Arising Out of PS. Case No.-481 Year-2020 Thana- BAIRIYA District- West Champaran

1. ANIRUDH YADAV S/o Late Bagar Yadav R/o village- Tadhwanandpur, Naya Tola, P.S.- Bairiya, Distt.- West Champaran
2. SITARAM YADAV S/o Anirudh Yadav R/o village- Tadhwanandpur, Naya Tola, P.S.- Bairiya, Distt.- West Champaran
3. RAJESH YADAV S/o Anirudh Yadav R/o village- Tadhwanandpur, Naya Tola, P.S.- Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in a case registered for the offences under Sections 341, 323, 325, 307, 379, 504/34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are in custody since 18.08.2021, charge-sheet has been submitted and petitioner No.1 and 3 are person with clean antecedent and petitioner No.2 has one antecedent.

The learned counsel for the petitioner submits that the informant alleges that Jitendra Yadav, who had come to his



matrimonial home came at the door of the informant and started abusing, on protest by informant, he pulled him down causing fracture in hand, further the main accused person came and Sitaram Yadav assaulted Ram Yadav on head by Farsa causing injury, thereafter Rajesh assaulted Brajesh on head by an iron rod causing injury, thereafter Sunil assaulted Kamlesh by lathi on right hand and face causing injury on hand and eye and the accused person also assaulted his son Ajay injuring him and thereafter the accused person entered the house and took Rs. 2 lakhs.

Learned counsel submits that the petitioner has been falsely implicated in the present case. It is submitted that as far as petitioner No.1 is concerned, no specific overt act has been alleged against him and as far as petitioner No.2 and 3 are concerned, they are alleged to have assaulted Ram Yadav and Brajesh on head by Farsa and iron rod respectively. Learned counsel draws the attention to the Court of Annexure-3 to the bail application to show that the injuries found on the Ram Yadav and Brajesh are simple in nature, further the injury of Ram Yadav is said to have caused by hard and blunt substance.

The learned A.P.P. vehemently opposes the bail application.



Considering the fact the petitioner is in custody since 18.08.2021, charge-sheet has been submitted and petitioner No.1 and 3 are persons with clean antecedent and in the nature of allegation and the fact that the injury on the injured are simple in nature, the petitioners, above-named, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bairiya P.S. Case No. 481 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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