

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69547 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- GAUNAHA District- West Champaran

1. MINKETAN PRASAD YADAV SON OF LATE VAIJNATH PRASAD YADAV @ VAIJNATH PRASAD @ VAIJNATH YADAV
2. RAMNATH PRASAD YADAV SON OF LATE VAIJNATH PRASAD YADAV @ VAIJNATH PRASAD @ VAIJNATH YADAV
3. TARAKESHWAR PRASAD YADAV @ RATA YADAV SON OF LATE VAIJNATH PRASAD YADAV @ VAIJNATH PRASAD @ VAIJNATH YADAV
4. DAYA SHANKAR PRASAD YADAV @ CHHOTA YADAV SON OF LATE VAIJNATH PRASAD YADAV @ VIJANATH PRASAD @ VAIJNATH YADAV

All are R/O SRIRAMPUR, P.S.- GAUNAHA, DISTRICT- WEST CHAMPARAN (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners no. 1 and 2 have antecedent of one case and petitioners no. 3 and 4 are persons with clean antecedent.



The informant alleges that on 12.02.2022 Minketan Prasad Yadav (petitioner no. 1) in a drunken condition came to his house and started abusing. On protest, Ramnath Prasad Yadav (petitioner no. 2), Tarakeshwar Prasad Yadav (petitioner no. 3), Daya Shankar Prasad Yadav (petitioner no. 4), Baljit Kumar Yadav, Sujit Kumar Yadav and Abnish Kumar Yadav also came and started assaulting him. Further, petitioner no. 1 assaulted his uncle Ajit Raj by butt of gun causing injury on his right eye and petitioner no. 2 took away Rs.10,000/- from his pocket thereafter petitioner no. 3 snatched chain of his uncle and Baljit Kumar Yadav along with Sujit Kumar Yadav dashed his mother on the ground making her semi naked and petitioner no. 3 assaulted his brother by farsa causing injury on his head.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that Gaunaha P.S. Case No. 38 of 2022 was instituted from the side of the petitioners against the informant and his side alleging that on account of dispute in Panchayat election the informant along with accused assaulted petitioner no. 4 by Dabiya causing injury on his head. It is next submitted that the injuries suffered by the side of the informant is simple in nature and the matter has also been compromised.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaunaha P.S. Case No. 32 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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