

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5916 of 2023

Arising Out of PS. Case No.-156 Year-2019 Thana- JADIA District- Supaul

1. Baijnath Yadav Son Of Late Laxmi Yadav R/V- Koriyapatti (West) P.S-
Jadiya Dist- Supaul
2. Chandan Yadav @ Chandan Kumar Son Of Baijnath Yadav R/V- Koriyapatti
(West) P.S- Jadiya Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

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

As per prosecution case, the petitioners along with other co-accused surrounded the informant and started assaulting indiscriminately. When other family members of the informant came to rescue, then petitioner no.1 assaulted on his neck with farsa. Petitioner no. 2 has assaulted on the head of Surendra Yadav with a Tengari.

Learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against



the petitioners is not specific rather general and omnibus in nature. He submits that during the course of investigation petitioner grant privilege under Section 41(1) of the Cr.P.C., later on the charge-sheet was submitted against the petitioner. There is a case and counter case between the parties. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 29.02.2020 passed in Cr. Misc. No. 4582 of 2020. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Jadiya P.S. Case No. 156 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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