

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9665 of 2023

Arising Out of PS. Case No.-221 Year-2020 Thana- NARHATT District- Nawada

1. MADAN KUMAR Son of Jagdish Prasad Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
2. SUDHIR KUMAR Son of Jagdish Prasad Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
3. RAM PRAVESH YADAV Son of Jagdish Prasad Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
4. JAGDISH YADAV Son of Jivlal Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
5. PIYUSH KUMAR Son of Dinesh Kumar Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
6. RITESH KUMAR Son of Dinesh Kumar Yadav R/v- Kusha, P.S.- Narhat, District- Nawada (Bihar)
7. MUKESH KUMAR @ MUKESH YADAV Son of Deonandan Prasad Yadav R/v- Bagodar, Tola, Beldariya, P.S.- Hisua, District- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Kumar Lalit, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioners, learned APP

for the State as well as learned counsel appearing on behalf of

the informant.

Petitioners apprehend their arrest in connection with

Narhat P.S. Case No.221 of 2020, registered for the offences

punishable under Sections 147, 148, 323, 324, 302, 504 and 506

of the Indian Penal Code.



The prosecution case, in brief, is that on 10.09.2020 at 08.00 A.M., the petitioners were putting pressure on her father to transfer his house in their name and they wanted to take her father to Nawada for registry. It is further alleged that on 11.09.2020 at about 11.00 A.M. when her father refused to go with them then all petitioners assaulted him with lathi, danda and iron rod. When her brother Sanjay Kumar, sister-in-law (भाभी), nephew Vicky Kumar went to save, then the petitioners also assaulted them. Thereafter all the injured persons were carried to PHC, Roh for treatment and her father died in course of treatment at Sadar Hospital, Nawada.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is submitted that the police after investigation submitted final form against the petitioners, but the learned court below after differing with the final form took cognizance against the petitioners. It is also submitted that the injuries sustained by the injured persons are simple in nature.

Learned APP for the State and learned counsel for the informant opposed the prayer for grant of anticipatory bail to the



petitioners by submitting that there is specific allegation of assault against the petitioners.

Taking into consideration the fact that the police after investigation submitted final form against the petitioners, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Narhat P.S. Case No.221 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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