

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11255 of 2023

Arising Out of PS. Case No.-96 Year-2017 Thana- CHAUSA District- Madhepura

1. Baleshwar Yadav @ Rajkishor Yadav Son Of Ganpu Yadav @ Ganesh Yadav R/O Village- Dhuriya, P.S.- Chousa, Dstrict- Madhepura
2. Mithlesh Yadav @ Mithlesh Kumar @ Mithilesh Son Of Bhuto Yadav @ Late Bhuto Yadav R/O Village- Dhuriya, P.S.- Chousa, District- Madhepura
3. Rahul Kumar @ Rahul Yadav Son Of Dayanand Yadav R/O Village- Dhuriya, P.S.- Chousa, Dstrict- Madhepura
4. Masaharu Yadav @ Raj Kishor Yadav Son Of Late Devan Yadav R/O Village- Dhuriya, P.S.- Chousa, Dstrict- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354, 379, 380, 427, 452, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, all the accused persons including these petitioners entered into the house of the informant and created nuisance and assaulted the informant, his wife and his family members.

Learned counsel for the petitioners submits 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 there is no specific allegation against the petitioners. There is specific allegation against one Arvind Yadav @ Bagho Yadav, who assaulted the wife of the informant and injury was reserved. Other persons sustained injuries, which are found simple in nature, it is clear from the impugned order itself. 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 and the nature of the injury and the fact that there is no specific overt act against the petitioners, 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 lower Court where the case is pending/successor Court in connection with Chousa P.S. Case No.96 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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