

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27958 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Ramvtar Yadav S/O Late Kuldip Yadav R/O Village- Kariyat, P.S-
Neemchak Bathani, Distt.- Gaya.
2. Sumrik Yadav S/O Ramvtar Yadav R/O Village- Kariyat, P.S-
Neemchak Bathani, Distt.- Gaya.
3. Mina Devi @ Sarsatiya Devi W/O Ramvtar Yadav R/O Village- Kariyat,
P.S- Neemchak Bathani, Distt.- Gaya.
4. Simpu Devi @ Sinku Devi @ Rinku Devi W/O Munna Yadav R/O Village-
Kariyat, P.S- Neemchak Bathani, Distt.- Gaya.
5. Chhotu Yadav @ Kharhawa S/O Ramvtar Yadav R/O Village- Kariyat, P.S-
Neemchak Bathani, Distt.- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Neemchak Bathani P.S. Case No. 234 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 341, 354(B), 435, 336, 307 of the Indian Penal Code. They have got no criminal antecedent.

Learned counsel for the petitioners submits that as per the prosecution story on 18.11.2022, on hulla the informant with his family members came out and saw that the straw (Newari) is



burning, thereafter they put off the fire. In the meantime, all the accused persons Chotu Yadav, Munna Yadav, Sumrik Yadav, Sarsatiya Devi and Rinku Devi started pelting stone upon them. Whereafter accused Munna Yadav, Ramvitar Yadav, Chotu Yadav and Sumrik Yadav started assaulting the informant and his family members with lathi and Khanti causing injuries. It is alleged that the accused persons tried to outrage the modesty of the daughter-in-law of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there is a case and counter case between the parties and both the parties have assaulted each other.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case, there being case and counter case between the parties and both the parties seem to have caused injuries to each other, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail 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 learned Chief Judicial Magistrate, Gaya in connection with Neemchak Bathani P.S. Case No. 234 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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