

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25722 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- DHURAIYA District- Banka

1. BIPIN YADAV SON OF LATE GIRDHARI YADAV Resident of village - Hanspur, P.S. - Dhuraiya, Distt. - Banka
2. Kailash Yadav Son of Late Sirdhari Yadav Resident of village - Hanspur, P.S. - Dhuraiya, Distt. - Banka
3. Pritam Yadav Son of Sitaram Yadav Resident of village - Hanspur, P.S. - Dhuraiya, Distt. - Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-07-2023 Heard Mr. Balram Kapri, learned counsel appearing on behalf of the petitioners and Mr. Mithlesh Kumar Khare, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dhuraiya P.S. Case No. 60 of 2022, dated 10.02.2022, registered under Sections 341, 323, 307, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant Anandi Yadav and his son Chhote Lal Yadav asked the petitioners to remove hut constructed on their land upon which the petitioners assaulted the informant and his son causing head



injury. It is also alleged that the petitioners opened firing in which one of the accused, namely, Deepak Kumar sustained firearms injury.

4. Learned counsel appearing on behalf of the petitioners submit that a case and counter case have been filed between the parties. Both the sides have sustained injuries. The petitioners were named in the F.I.R. In the self defence, petitioners may have caused some injury to the informant and his son. There is no specific allegation having firing on the head of the informant has been levelled against the petitioners. The petitioners have clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners being general and omnibus, the informant is eye witness however, he has not made any specific allegation of firing to have been made by 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 four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with



Dhoraiya P.S. Case No. 60 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

pravinkumar/-

U			
---	--	--	--

