

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26351 of 2023

Arising Out of PS. Case No.-97 Year-2019 Thana- AMARPUR District- Banka

1. RAJESH YADAV @ GULCHA YADAV @ BIYARI KUMAR YADAV S/O GAINU YADAV RESIDENT OF VILLAGE- KENDUAR, P.S.- AMARPUR, DISTRICT- BANKA.
2. RINKU DEVI W/O RAJESH YADAV @ GULCHA YADAV @ BIYARI KUMAR YADAV RESIDENT OF VILLAGE- KENDUAR, P.S.- AMARPUR, DISTRICT- BANKA.
3. KAILEE DEVI W/O GAINU YADAV RESIDENT OF VILLAGE- KENDUAR, P.S.- AMARPUR, DISTRICT- BANKA.
4. RUPESH YADAV S/O GAINU YADAV RESIDENT OF VILLAGE- KENDUAR, P.S.- AMARPUR, DISTRICT- BANKA.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Arun Kumar , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-07-2023 At the outset, learned counsel for the petitioner No 2 seeks permission to withdraw the pre-arrest bail petition.

This bail petition of Petitioner No 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner Nos 1, 3 and 4 and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341, 323,



448, 307, 504/34 of the Indian Penal Code.

3. On the alleged date and time of occurrence all the FIR named accused persons including these petitioners armed with weapons went to the house of the informant and Rocket Yadav and Kailee Yadav ordered to kill the informant. In the meantime, co-accused Rinku Devi assaulted the informant by means of iron rod in which he sustained injury.

4. It is submitted that petitioners have been made accused in this case due to land dispute. Specific accusation of assault is against co-accused Rinku Devi. There is no specific allegation of over act alleged against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the petitioners oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos 1, 3 and 4 , as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Banka in connection with Amrarpur P.S. Case No 97 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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