

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26491 of 2023

Arising Out of PS. Case No.-670 Year-2022 Thana- MAJHAULIA District- West Champaran

1. BULLET YADAV @ ABHISHEKH LAL YADAV SON OF LATE DRUP YADAV RESIDENT OF VILLAGE- SIRISWA BAZAR, PS MAJHAULIYA ,DISTRICT- WEST CHAMPARAN
2. LOHVAR YADAV @ LAHVAR KUMAR SON OF LATE DRUP YADAV RESIDENT OF VILLAGE- SIRISWA BAZAR, PS MAJHAULIYA ,DISTRICT- WEST CHAMPARAN
3. UDAY KUMAR @ UDAY YADAV SON OF LATE DRUP YADAV RESIDENT OF VILLAGE- SIRISWA BAZAR, PS MAJHAULIYA ,DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Kalyan Shankar. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 447, 341, 323, 307, 337, 379, 504, 324, 34 of the IPC and later on section 302 IPC was added.

As per the prosecution case, the F.I.R. named accused persons including the petitioners brutally assaulted the wife of the informant by means of various weapons. They also assaulted the informant.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation to assault the wife of the informant on her head is against the co-accused Dharmendra Yadav. It has come in the impugned order that the postmortem report enclosed in para-72 of the case diary, reveals that the cause of death of the deceased is hemorrhage and shock and it is complication, resulting from sharp edged heavy object force impact. However, the allegation against the petitioner no.1 is that he assaulted the deceased by means of lathi i.e. hard and blunt substance and allegation against petitioner nos.2 and 3 is that they caught hold of the informant, who has not sustained any injury. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since 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 court below where the case is pending/Successor Court in connection with Majhauriya P.S. Case No.670 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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