

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33918 of 2023

Arising Out of PS. Case No.-144 Year-2021 Thana- GHOGHARDIHA District- Madhubani

1. Ram Pravesh Yadav @ Ram Pravesh Kumar Yadav Son of Late Lalit Yadav Resident of Village- Kisanpatti, Ward No. 7, Ps- Ghoghardiha, Distt- Madhubani
2. Rahul Kumar Yadav Son of Pramod Yadav @ Nirbhay Yadav Resident of Village- Kisanpatti, Ward No. 7, Ps- Ghoghardiha, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 448, 341, 323, 307, 342, 379, 504, 506/34 of the Indian Penal Code.

3. As per F.I.R., these petitioners assaulted on the head of the informant by means of iron rod and *lathi* and when his brother came to save him, they assaulted him too. It is further alleged that petitioner No. 2 snatched Rs. 1,500/- and mobile from the pocket of one Bharat.

4. It is submitted that F.I.R. has been lodged after delay of three days and there is no explanation for the same



which itself makes the prosecution case doubtful. The present case is in retaliation of Ghoghardiha P. S. Case No. 145 of 2021 which was lodged by petitioner No. 1 and due to on-going dispute between the parties this false and concocted case has been lodged. Injuries sustained by the injured are simple in nature and rest of the allegations are ornamental to make the case grave.

5. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Ghoghardiha P. S. Case No. 144 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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