

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38281 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- MAHILA P.S. District- Madhepura

1. SUNDAR YADAV @ SHYAM SUNDAR YADAV Son of Late Panchu Yadav Resident of Village - Sukhasan, Ward No.- 6, P.S.- Singheshwar, District - Madhepura.
2. Rajesh Yadav @ Rajesh Kumar Yadav Son of Sundar Yadav Resident of Village - Sukhasan, Ward No.- 6, P.S.- Singheshwar, District - Madhepura.
3. Kishor Yadav @ Raj Kishor Kumar Son of Sundar Yadav @ Shyam Sundar Yadav Resident of Village - Sukhasan, Ward No.- 6, P.S.- Singheshwar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 354, 379, 504, 506, 34 of the IPC.

3. Allegedly, the petitioners entered into the house of the informant and started assaulting her daughters with rod. It is further alleged that they assaulted the informant with rod.

4. 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. There is a land dispute between the parties. It is further submitted that there is an inordinate delay of 18 days in lodging the F.I.R., as the occurrence is alleged to have taken place on 13.05.2022 and F.I.R. was lodged on 01.06.2022, without giving any plausible explanation regarding the delay, which itself creates doubt about the prosecution case. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the delay in lodging the F.I.R., 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 Madhepura Mahila P.S. Case No.24 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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