

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43515 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- BARHAT District- Jamui

1. ARUN YADAV Son of Jago Yadav Resident of Village - Bakhari, P.S.- Barhat, District - Jamui
2. Sudhir Yadav Son of Jago Yadav Resident of Village - Bakhari, P.S.- Barhat, District - Jamui
3. Umesh Yadav Son of Kishori Yadav Resident of Village - Bakhari, P.S.- Barhat, District - Jamui
4. Prem Yadav Son of Basudeo Yadav Resident of Village - Bakhari, P.S.- Barhat, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 302, 120B of the Indian Penal Code.

3. Allegedly, after some altercation, all the accused persons including these petitioners assaulted the informant, his brother and his wife brutally due to which his wife sustained injury and died.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is general and omnibus. There is admitted land dispute between the parties. There is no eye witness in the present case. Petitioner have been accused in the present case merely on the basis of suspicion. He further submits that the viscera report as well as postmortem report does not support the prosecution case. Petitioner nos. 1, 2 & 4 have one criminal antecedent, whereas petitioner no. 3 has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and considering the viscera report as well as postmortem report of the deceased, 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 lower Court where the case is pending/successor Court in connection with Barghat P.S. Case



No. 66 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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