

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45606 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- WARISLIGANJ District- Nawada

1. Kaushal Yadav Son Of Ravindra Yadav Resident Of Village- Sambey, Ps- Warisaliganj, Distt- Nawada
2. Guddu Yadav Son Of Ram Chandra Yadav Resident Of Village- Sambey, Ps- Warisaliganj, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 307, 448, 379, 504 and 506 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner no.1 assaulted on the head of the Rampravesh Yadav by means of iron rod and petitioner no.2 having pistol in this hand told to kill kill all the family members of the informant and thereafter Malikan Yadav took out Rs. 1,00,000/- and ornaments from the box of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is case and counter case between the



parties and both sides have sustained injuries. He submits that there is no injury report available on the record. He further submits that from the impugned order of the learned Court below it is stated that there is specific allegation made against petitioners, namely, Kaushal Yadav and Guddu Yadav is corroborated by injury report on the record but the learned Court below did not mention nature of the injury. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Warisaliganj P.S. Case No.123 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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