

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47978 of 2022**

Arising Out of PS. Case No.-137 Year-2021 Thana- RAMGARHWA District- East
Champaran

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1. Yogendra Yadav Son of Late Bhikhdev Yadav
 2. Rakesh Kumar Yadav @ Rakesh Kumar Son of Chandra Kishore Prasad Yadav
 3. Dilip Kumar Yadav @ Deelip Kmar Yadav Son of Yogendra Yadav
All Resident of Village - Jogwaliya, P.s.- Ramgarhwa, Distt.- East
Champaran, State- Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with
Ramgarhwa P.S. Case No.137 of 2021 instituted under Sections
448,341,323,325,307,354(B),504 and 506/34 of the IPC.

As per the prosecution story, the informant alleged that
during his 'Iftar' party, one of the accused Binod Yadav was watering
his plant and excess water was coming to his house and upon
objection, the allegation is that the petitioner no.3, Dilip Kumar
Yadav @ Deelip Kumar Yadav in an inebriated condition, came
along with other accused person and allegation is of assaulting the
family members of the informant. This led to head as well as fracture
on the fingers of his son.



Taking into account the kind of allegation against the petitioner no.3, Dilip Kumar Yadav @ Deelip Kumar Yadav, this Court is not inclined to grant him any relief and petition stands rejected.

So far as the petitioner nos.1 and 2 are concerned, in view of the fact that the petitioner no.1 is an aged person of 70 years and the petitioner no.2 is 20 years old boy, they do not have criminal antecedent and omnibus allegations are their against them, this Court is inclined to grant them relief.

Let the petitioner no.1, Yogendra Yadav and petitioner no.2 namely Rakesh Kumar Yadav @ Rakesh Kumar be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Ramgarhwa P.S. Case No.137 of 2021 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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