

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50143 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- KEWATI District- Darbhanga

1. Yadu Nandan Yadav @ Bhulla S/o Late Kishni Yadav
2. Shyam Kumar Yadav @ Shyam Kumar S/o Lal Babu Yadav
3. Baidh Nath Yadav S/o Late Chalitar Yadav
4. Pappu Yadav @ Pappu Kumar Yadav S/o Late Jagarnath Yadav
5. Laxman Yadav S/o Late Chalitar Yadav
6. Raj Kumar Yadav S/o Late Devi Yadav
7. Usha Devi W/o Punit Kumar Yadav
8. Nirmala Devi W/o Lal Babu Yadav
9. Niro Devi W/o Laxman Yadav
10. Vimla Devi @ Vimal Devi W/o Baidh Nath Yadav

All are residents of village- Pathra, Post- Khirma, P.S.- Keoti, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Ojha, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 04-04-2023 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. for the State.

2. The petitioners seeks pre-arrest bail in connection
with Keoti P.S. Case No. 196/2021 for the offence punishable
under Sections 147, 148, 149, 323, 324, 341, 307, 504,
506/354B, 379 & 448 of the Indian Penal Code .

3. The prosecution story, in brief, is that the accused



persons named in the FIR including above named ten petitioners assaulted the informant and the specific allegation is against co-accused, Punit Kumar Yadav, Lalbabu Yadav and Roshan Yadav, who have assaulted the informant by means of iron rod, farsa and other lethal weapons.

4. Learned counsel appearing on behalf of the petitioners submits that FIR bearing Keoti P.S.Case No.196 of 2021 is the counter case implicating the present petitioners rather the petitioners' side had lodged Keoti P.S.Case No.192 of 2021 on 20.11.2021. The specific case of the petitioners is that the grand father of petitioner no.4 was killed by the informant side and petitioner no.4 (Pappu Yadav) was also brutally assaulted by the informant side. The genesis of lodging of FIR is that one Chanri Devi, who was a candidate for the post of Member, Panchayat Samiti was defeated and due to enmity, the present petitioners have been made accused.

5. Learned counsel further submits that the specific allegation of assault is against co-accused namely, Punit Kumar Yadav, Lalbabu Yadav and Roshan Yadav and general and omnibus allegation has been made against all the above named ten petitioners. Petitioners have clean antecedent.

6. Learned A.P.P. for the State and the learned counsel



for the informant has opposed the prayer for grant of bail to the petitioners.

7. Having considered the rival submissions of the parties and the allegation made in the FIR, it appears that general and omnibus allegation have been made against the above named petitioners, who have brought on record that the grand father of petitioner no.4 was murdered and he was brutally assaulted by the informant side. The petitioner no.4 sustained grievous injury.

8. Considering the fact that general and omnibus allegation has been levelled against the above named ten petitioners, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Darbhanga in connection with Keoti P.S.Case No.196 of 2021 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

9. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners



are involved in some other cases as what has been stated in paragraph no.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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