

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57133 of 2021

Arising Out of PS. Case No.-45 Year-2021 Thana- CHAND District- Kaimur (Bhabua)

1. RAM AWATAR YADAV Son of Umesh Chandra Yadav Resident of Village - Baraw, P.S. Chand, District - Kaimur (Bhabua).
2. Raj Bansh Yadav Son of Umesh Chandra Yadav Resident of Village - Baraw, P.S. Chand, District - Kaimur (Bhabua).
3. Umesh Chandra Yadav Son of Late Bihari Yadav Resident of Village - Baraw, P.S. Chand, District - Kaimur (Bhabua).
4. Abhishek Yadav Son of Bihari Yadav Resident of Village - Baraw, P.S. Chand, District - Kaimur (Bhabua).
5. Abhay Yadav Son of Ranbansh Yadav Resident of Village - Baraw, P.S. Chand, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Nath Singh Yadav, Advocate.
For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Chand P. S. Case No. 45 of 2021 registered for the offences punishable under Sections 341, 323, 325, 337, 338, 354, 379, 504 and 506 read with Section 34 of the Indian Penal



Code.

As per the prosecution case, the petitioners and the co-accused persons are alleged to have abused and assaulted the husband of the informant with intent to kill him. The petitioner no. 2 Rajbansh Yadav assaulted the informant's husband with iron rod causing fractured injury on his waist and due to which he became unconscious. Thereafter, petitioner no. 3 Abhishek Yadav also snatched golden chain and took away Rs. 50,500/- after breaking the almirah.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. No such occurrence as alleged has ever taken place. There is general and omnibus allegation against the petitioners. Learned counsel for the petitioners further submitted that the injury of the injured is found to be simple in nature. The petitioner no. 1 has one more criminal case, so far as the rest of the petitioners are concerned, they have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Kaimur at Bhabhua in connection with Chand P. S. Case No. 45 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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