

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49730 of 2022

Arising Out of PS. Case No.-122 Year-2020 Thana- PHULPARAS District- Madhubani

1. GAUTAM KUMAR YADAV @ GAUTAM UPARAJHIYA @ SARHAN
Son of Pramod Sarhan Resident of Village - Balua, P.S.- Phulparas, District -
Madhubani.
2. Parmendra Kumar Yadav @ Parmendra Kumar Sarhan Son of Jay Krishan
Sarhan Resident of Village - Balua, P.S.- Phulparas, District - Madhubani.
3. Saraj Narayan Uparajhiya @ Surya Narayan Uparajhiya Son of Rampati
Uparajhiya Resident of Village - Balua, P.S.- Phulparas, District -
Madhubani.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-01-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 447, 448, 341, 323, 324, 307, 354, 337, 379 and 504 of the Indian Penal Code.

The allegation against the petitioners is that while the road construction work was going on in the village, the accused persons stopped the work for taking extortion and also took away some bricks from the work place to his own place. On 25.03.2020 at about 5 PM all accused persons surrounded his house and damaged the asbestos with bricks and stones. Further, they entered in his house and outraged the modesty of



female members and looted the box in which clothes and ornaments were kept.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is attributed against the co-accused, Kulanand Sarhan and Deepak Kumar Sarhan. There is case and counter case between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let 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 Phulparas P.S. Case No.122 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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