

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52203 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- MADHEPURA District- Madhepura

1. Amresh Yadav @ Amresh Prasad Yadav Son of Kamal Yadav @ Kapildev Yadav
2. Rahul Kumar @ Rahul Kumar Yadav Son of Anil Kumar Yadav @ Anil Kumar
Both resident of Village Katharwa Batharwa Ward No 12 PS Madhepura
(Bharrahi OP) District Madhepura

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard learned counsel for the parties.

2. The petitioners seek pre-arrest bail in connection with Madhepura (Bharrahi O.P.) P.S.Case No.161 of 2022, registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 & 506/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that on 20.02.2022 at about 8.00 P.M. in the night, FIR named accused persons caught hold the informant while he had gone to Chandni Chowk for bringing milk. They also brutally assaulted the informant by the *Butt* portion of Arms, causing fracture injury in his legs and hands. The petitioner no.2 and co-accused Rajeev Kumar had also snatched away Rs.50,000/- as well as gold chain from the



neck of the informant.

4. The learned counsel appearing on behalf of the petitioner submitted that the petitioners are innocent and they have falsely been implicated in the present case due to village groupism. The allegation levelled against the petitioners are concocted. There is general and omnibus allegation against the petitioners. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties, 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhepura in connection with Madhepura (Bharrahi O.P.) P.S.Case No.161 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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