

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49644 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- BENIPATTI District- Madhubani

1. NAWAL YADAV Son of Late Mauje Yadav
2. Kamlesh Yadav Son of Late Yadunandan Yadav
3. Manoj Yadav Son of Kamlesh Yadav
4. Darshan Yadav Son of Nabal Yadav
5. Sujit Yadav @ Sujit Kumar Yadav
6. Mithun Yadav @ Mithun Kumar Yadav Son of Bhoril Yadav
All R/O Village - Samda, P.S.- Benipatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Advocate Mr. Bimal Kumar, Advocate
For the informant	:	Mr. Uttam Sahu, Advocate
For the State	:	Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 Learned counsel for the petitioners at the outset submit that so far as petitioner no.1 and 4 are concerned, they have been arrested and as such the petition against them have become infructuous.

As prayed for, the petition so far as against petitioner no.1 and 4 are concerned, is dismissed as infructuous.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Benipatti P.S. Case No.203 of 2021 instituted under



Sections 143,341,323,324,307,379,354(A), 504, 506 of the IPC.

As per the prosecution story, the allegation is that the petitioner no.5 Sujit Yadav @ Sujit Kumar Yadav assaulted the informant's brother as also his father by 'Farsa' causing injuries to them. So far as the other three petitioners, namely, Kamlesh Yadav (petitioner no.2), Manoj Yadav (petitioner no.3) and Mithun Yadav @ Mithun Kumar Yadav (petitioner no.6) are concerned, omnibus allegations is/are there against them of assault and they do not have criminal antecedent, this Court is inclined to grant them relief.

While the anticipatory bail application of petitioner no.5 namely, Sujit Yadav @ Sujit Kumar Yadav stands rejected, so far as the other three petitioners, as noted above, are concerned, their prayer is allowed.

Let the petitioners, namely, Kamlesh Yadav (petitioner no.2), Manoj Yadav (petitioner no.3) and Mithun Yadav @ Mithun Kumar Yadav (petitioner no.6) 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 Benipatti P.S. Case No.203 of 2021 to the



satisfaction of learned ACJM, I, Benipatti, Madhubani, 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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