

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50323 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- DHANAHAN District- West Champaran

1. PRAHLAD YADAV @ PAHLAD YADAV S/o Late Pahwari Yadav
Resident of Village- Ghusari, P.S. Dhanaha, District- West Champaran.
2. SURAJ YADAV S/o Prahlad Yadav @ Pahlad Yadav Resident of Village-
Ghusari, P.S.- Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 25-04-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Dhanaha P.S. Case No. 74 of 2022, registered for the offences
punishable under Sections 147, 149, 341, 324, 447, 307, 379, 504,
325 of the Indian Penal Code.

Prosecution story in brief is that the petitioners have
allegedly assaulted the informant and the genesis behind assaulting
the informant is that due to fight between the children.

Learned counsel appearing on behalf of the petitioner
submits that the children of the informant and the petitioner had
some scuffle which led to the ugly scene and in which both the
parties assaulted each other. There is case and counter case
between the parties and the petitioner has lodged FIR bearing case



No. 72 of 2022 because one of the members of his side sustained grievous injury. The parties are agnates.

Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for granting of bail.

Considering the nature of allegation made in the FIR and the injury report sustained by the informant being simple in nature, the petitioners have prima facie made out a case for release of per-arrest bail. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran in connection Dhanaha P.S. Case No. 74 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force.

(Purnendu Singh, J)

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