

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53130 of 2022

Arising Out of PS. Case No.-199 Year-2021 Thana- DHURAIYA District- Banka

1. ANIL YADAV Son of Sadhu Yadav Resident of Village - Bishunpur, P.s.- Dhoraiya, Distt.- Banka.
2. Prakash Yadav Son of Arjun Yadav Resident of Village - Bishunpur, P.s.- Dhoraiya, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate.
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 16-01-2023 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 Dhuraiya P. S. Case No. 199 of 2021 registered for the offences punishable under Sections 341, 323, 307, 354, 504 and 506 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners dragged the informant towards a bush with intent to outrage her modesty. When the informant's son Md. Saddam and one nephew, namely, Md. Furkan came to rescue her, all the accused persons assaulted them with *lathi* and *danda* causing several injuries.



Learned counsel for the petitioner has submitted that the petitioners have falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioners. It is also submitted that the injury of the injured is found to be simple in nature. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the 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, Banka, in connection with Dhoraiya P. S. Case No. 199 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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