

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54534 of 2023

Arising Out of PS. Case No.-59 Year-2021 Thana- TRIVENIGANJ District- Supaul

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1. SUSHIL YADAV @ SUSHIL KUMAR YADAV SON OF LATE JAGESHWAR YADAV @ FAUDILAL YADAV VILLAGE- JARAILA PS- TRIBENIGANJ DIST- SUPAUL
 2. CHUTUS YADAV @ CHUTUS KUMAR @ MITHILESH @ MITHILESH KUMAR SON OF INDRADEO YADAV @ INDRA NARAYAN YADAV VILLAGE- JARAILA PS- TRIBENIGANJ DIST- SUPAUL

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 447, 341 , 323 , 380 and 34 of the Indian Penal Code.

3. On the alleged date and time of occurrence, these petitioners along with 3 other co-accused persons were fencing the land by encroaching the land of informant and when the



informant and his both sons objected them then the aforesaid accused persons indiscriminately assaulted them by means of lathi and farsa, due to which he sustained head injury .

4. It is submitted on behalf of the petitioners that allegation of assault is general and omnibus against these petitioners. The present case is counter blast of Trivenigunj P . S. Case No- 55 of 2021 dated 01.03.2021 u/s- 143, , 149, 447, 504, 114, 341 , 323 and 302 of the Indian Penal Code , which was lodged by petitioner no-1 namely Sushil Yadav against the informant and 4 other persons and to save skin from this case the present case has been lodged by the informant. Doctor has found simple injury . Petitioner claims clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Chief Judicial Magistrate , Supaul in connection with Triveniganj P.S. Case No. 59 of 2021 , subject to the conditions laid down under section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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