

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55990 of 2022

Arising Out of PS. Case No.-176 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

1. Vijay Yadav Son of Mundirika Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
2. Bablu Yadav Son of Rajendra Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
3. Mithilesh Yadav Son of Kailash Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
4. Raushan Yadav Son of Kailash Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
5. Chhotu Yadav Son of Parmeshwar Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
6. Local Yadav @ Ranjit Yadav Son of Dip Yadav @ Deep Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
7. Sitaram Yadav Son of Kishan Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
8. Guddu Yadav Son of Sitaram Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif
9. Murari Yadav Son of Rambriksh Yadav Resident of Village- Hasanpur, P.S.- Giriyak, District- Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to
withdraw this application in respect of petitioner nos. 3 & 5,
submitting that during pendency of this application petitioner



nos. 3 & 5 have been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner nos. 3 & 5.

Now this application survives for petitioner nos. 1, 2, 4, 6, 7, 8 & 9.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 506, 379, 384, 307, 427 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, petitioners armed with deadly weapons came to the place of occurrence and started firing. Petitioner no. 2 is said to have taken Rs. 30,000/- from the informant and told him to send message to the owner of Jai Mata Di Enterprises to pay Rs. 1000/- as Rangdari for each vehicle, otherwise he will be killed, and will not be permitted to load on the truck. Raushan Yadav assaulted the informant with butt of gun causing injury on his head. They also damaged his vehicles.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled



against the petitioners is not specific rather general and omnibus in nature. He further submits that both the parties settled the dispute and entered into the compromise. The injury sustained by the victim is simple in nature. Petitioner nos. 4, 6, 7, 8 & 9 have no criminal antecedent as mentioned in para-3 of this application. Petitioner no. 1 has two criminal antecedents whereas petitioner no.2 has three criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injury sustained by the informant is simple in nature, let the petitioner nos. 1, 2, 4, 6, 7, 8 & 9, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Muffasil P.S. Case No. 176 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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