

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56461 of 2023

Arising Out of PS. Case No.-67 Year-2020 Thana- BHEJA District- Madhubani

1. Debu Yadav S/O Late Palat Yadav R/O Village- Karhara, P.S. Bheja, Dist. Madhubani
2. Chandan Yadav S/O Debu Yadav R/O Village- Karhara, P.S. Bheja, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-11-2023 Heard Mr. Ramchandra Jha Raman, learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bheja P.S. Case No. 67 of 2020, registered for the offences punishable under Sections 143, 341, 323, 354, 447, 379, 427 and 504/34 of the Indian Penal Code.

3. It is alleged that on the alleged date of occurrence, the petitioners and other accused persons variously armed entered into the courtyard of the informant and on the exhortation made by the petitioner no. 1, all the accused persons including the petitioner no. 2 assaulted the informant and others.



There is further allegation of snatching of valuables and of indecent behaviour.

4. Learned counsel appearing on behalf of the petitioners submits that from the narrations made in the FIR, no specific allegation has been levelled against the petitioners, moreover, there is counter version of the present case being Bheja P.S. Case No. 68 of 2020. He further submits that in fact none has sustained any serious injury and thus, the same has not been dealt with in the impugned order. He also submits that in fact on account of long standing dispute between the parties, there are various litigation pending between them and two of the cases have also been lodged against the petitioner no. 1, which is the offshoot of the dispute between the parties.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that none has sustained any serious injuries, moreover, there is a case and counter case, let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of



this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Bheja P.S. Case No. 67 of 2020, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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