

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55231 of 2022

Arising Out of PS. Case No.-435 Year-2021 Thana- MAJHAULIA District- West Champaran

1. Madan Yadav, Son of Late Budhan Yadav, Resident of Village- Baithaniya, Police Station-Majhaulia, District- West Champaran
2. Malti Devi, Wife of Madan Yadav, Resident of Village- Baithaniya, Police Station-Majhaulia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra, Advocate Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-01-2023 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 a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 427, 353, 332, 307, 342 and 504 of the Indian Penal Code.

As per the prosecution case, when the informant along with other police personnel was returning with co-



accused Ramjeet Yadav from Primary Health Centre after treatment, all the accused persons surrounded them on the gate of the P.H.C and forcefully tried to took away the accused from the police custody. The accused persons pelted stones and assaulted the police personnel and damaged the vehicles.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. He has further submitted that the co-accused Kaalwati Devi has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 04.08.2022 passed in Cr. Misc. No. 6803 of 2022. The petitioners have got clean antecedent as stated in para 3 of the bail petition. During the investigation, the name of the petitioners has transpired in this case on the disclosure of the local *chowkidar*.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today,



be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of Court concerned, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 435 of 2021, subject to the condition 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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