

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60788 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- NAUTAN District- Siwan

1. Surendra Yadav, Son of Late Shurj Bali Yadav @ Suraj Bali Yadav, R/O Village Kabirpur P.S Mairwa, District Siwan Bihar 841243
2. Devendra Yadav, Son of Surendra Yadav R/O Village Kabirpur P.S Mairwa District Siwan Bihar 841243
3. Yogendra Yadav, Son of Surendra Yadav R/O Village Kabirpur P.S Mairwa District Siwan Bihar 841243

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Akshay Lal Pandit, Advocate

For the Opposite Party : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Nautan P.S. Case No. 71 of 2023 registered for the offences punishable under Sections 341, 354, 323, 325, 307, 504, 506 and 34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 05.05.2023 at about 05:00 P.M. the petitioner no. 1 had taken his buffalo for grazing due to which the flower tree of the informant got destroyed. It is further stated that when the informant objected, these petitioners assaulted the informant and his daughter-in-laws.

4. Learned counsel for the petitioners submits that both the parties have amicably resolved their disputes.



5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case, the nature of dispute and the submission that both the parties have amicably resolved their dispute, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Nautan P.S. Case No. 71 of 2023 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 learned Judicial Magistrate, 1st, Siwan, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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