

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61115 of 2023

Arising Out of PS. Case No.-288 Year-2023 Thana- BANKA District- Banka

-
1. BANARASHI YADAV SON OF LATE BHUDEO YADAV RESIDENT OF VILLAGE - MANIYARPUR, P.S. - BANKA, DISTRICT - BANKA, DISTRICT - BANKA (BIHAR)
 2. CHAMMO YADAV @ CHAMAKLAL YADAV SON OF LATE SHUKDEO YADAV RESIDENT OF VILLAGE - MANIYARPUR, P.S. - BANKA, DISTRICT - BANKA, DISTRICT - BANKA (BIHAR)
 3. DHARMENDRA YADAV SON OF CHAMMO YADAV @ CHAMAKLAL YADAV RESIDENT OF VILLAGE - MANIYARPUR, P.S. - BANKA, DISTRICT - BANKA, DISTRICT - BANKA (BIHAR)
 4. FANTUS YADAV SON OF LATE BISHAN YADAV RESIDENT OF VILLAGE - MANIYARPUR, P.S. - BANKA, DISTRICT - BANKA, DISTRICT - BANKA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Pratap Singh, Adv.
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, who has been apprehended by the police during pendency of this application.

3. Permission is granted.

4. Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.1



is dismissed as withdrawn.

5. Now, the present application is being heard for consideration of bail of petitioner nos.2 to 4.

6. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 307, 379, 504, 34 of the IPC.

7. As per the prosecution case, informant alleged that petitioners along with other co-accused persons assaulted the informant's side by means of lathi-danda, iron rod and farsa.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties and both sides have sustained grievous injuries. Petitioners have no criminal antecedent.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, since both sides have sustained grievous injury, let the above named petitioner nos.2 to 4, 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 court below where the case is pending/Successor Court in connection with Banka P.S. Case No.288 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

