

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60031 of 2022

Arising Out of PS. Case No.-670 Year-2020 Thana- MAJHAULIA District- West Champaran

1. AJAY YADAV S/o Sri Saral Yadav R/V- Parsa Narayanpur, P.S.- Majhauria, Distt- West Champaran.
2. Jagdev Yadav S/o Latre Thakur Yadav R/V- Parsa Narayanpur, P.S.- Majhauria, Distt- West Champaran.
3. Chhotelal Yadav S/o Late Thakur Yadav R/V- Parsa Narayanpur, P.S.- Majhauria, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr.Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-01-2023 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 no.3,
submitting that during pendency of this application petitioner
no.3 has been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in
respect of petitioner no.3 only.

Now this application survives only for petitioners no.1 &
2.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 324, 337, 338, 354, 354-B, 379, 307, 436, 504, 506 of the Indian Penal Code.

Allegedly, petitioners along with other co-accused persons assaulted the informant and his family members with bhala and gadasa. They outraged modesty of his minor daughter. They also looted away Rs. 2,50,000/- kept in the box.

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. There is specific allegation against Birbal Yadav to assault the informant. There is case and counter case between the parties. The injury sustained by the victim is simple in nature. Petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injury sustained by the victim is simple in nature, let



the above named petitioners, 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 Majhulia P.S. Case No. 670 of 2020, 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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