

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62197 of 2023

Arising Out of PS. Case No.-354 Year-2023 Thana- BRAHMPUR District- Buxar

1. PARAMHANS YADAV Son of Late Kawaldhari Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
2. Yaduvansh Yadav Son of Late Kawaldhari Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
3. Shankar Dayal @ Shankar Dayal Yadav Son of Late Kawaldhari Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
4. Ishwar Dayal Yadav Son of Late Kawaldhari Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
5. Shambhu Nath Yadav Son of Late Bhagalu Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
6. Akshay Lal Yadav Son of Late Bhagalu Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
7. Malu Yadav @ Jai Shankar Yadav Son of Late Bhagalu Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar
8. Sumer Yadav Son of Ishwar Yadav R/o vill - Jawahi Diyar, P.s. - Brahmpur, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 448, 504, 506 of the Indian Penal Code.



3. Allegedly, after some altercation, all the accused persons, having deadly weapons, attacked upon the informant. On instigation of petitioner no.1, all the accused persons assaulted the informant's side with deadly weapons brutally. They also took Rs. 1,25,000/- from the informant's house and snatched the ornaments worn by female members of the informant's family.

4. 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 due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against co-accused Munna and Baccha Lal Yadav to assault the informant by butt of pistol and iron head on his head. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Brahmpur P.S. Case No. 354 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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