

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65853 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- BISFI District- Madhubani

1. Bishun Yadav Son Of Late Parikshan Yadav Resident Of Village - Hanuman Nager, P.S. - Bisfi, District - Madhubani
2. Ram Pravesh Yadav Son Of Late Bimal Yadav Resident Of Village - Hanuman Nager, P.S. - Bisfi, District - Madhubani
3. Ram Shobha Yadav Son Of Late Bimal Kumar Yadav Resident Of Village - Hanuman Nager, P.S. - Bisfi, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Rabindra Kumar
Mr.Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners, State and informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 324, 447, 427, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 17.05.2023, the F.I.R. named accused persons including these petitioners, variously armed, entered in the house of informant and started assaulting him. It is further alleged that co-accused Mithlesh Yadav gave iron rod blow on the temporal region and back of informant whereas other accused persons assaulted him



with *lathi-danda*, as a result of which, the informant sustained injuries. It is next alleged that when wife of informant came to save her husband, she was also assaulted and petitioner no. 1 snatched her chain, whereas, other co-accused persons took away Rs. one lac cash and one android mobile set from the house of informant.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case due to old enmity and land dispute. Title suit, vide Title Suit No. 77/2023, is pending between the parties. It is further submitted that as per F.I.R. itself, specific allegation of overt act is against co-accused Mithlesh Yadav and there is no specific overt act against any of the petitioners. Petitioners have got clean antecedent.

5. However, learned counsel for the informant vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipatti, District Madhubani



in connection with Bisffi P.S. Case No. 182 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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