

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71016 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- NARPATGANJ District- Araria

1. Rupesh Yadav@ Rupesh Kumar Yadav Son Of Shovanand Yadav Resident Of Village- Barhara Tola, Matnaya, Ps- Narpatganj, Distt- Araria
2. Kumod Kumar Yadav @ Kumod Kumar Ranjan Son Of Naresh Yadav Resident Of Village- Barhara, , Ps- Narpatganj, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioners, and learned
Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the bail application filed on behalf of petitioner no. 2 as he has already been arrested by the police.

3. Permission is accorded.

4. Accordingly, the present bail application as against petitioner no. 2 is dismissed as withdrawn.

5. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.



6. As per the prosecution case, while the informant were ploughing his field, all the accused person assaulted the informant. Allegation against the petitioner no. 1 is that he assaulted the informant's nephew with lathi and iron rod causing injury to him.

7. Learned counsel for the petitioner submits that the petitioner no. 1 is innocent and has falsely been implicated in this case. There is case and counter case between the parties due to land dispute. He submits that there is general and omnibus allegation has been levelled against petitioner no. 1. He submits that the injury found upon the victim is simple in nature. The petitioner has got clean antecedent.

8. Learned APP for the State opposes the prayer for bail and submits that petitioner.

9. Considering the facts and submission of the parties, let the above named petitioner no. 1 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Narpatganj P.S.



Case No. 207 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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