

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65177 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- BABUBARHI District- Madhubani

1. ASHARFI LAL YADAV Son of Late Sita Ram Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
2. RAM BHAVISHYA YADAV Son of Asharfi Lal Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
3. FEKANI DEVI Wife of Asharfi Lal Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
4. RAJESH YADAV @ RAJESH KUMAR YADAV Son of Rajendra Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
5. RAM NARESH YADAV Son of Bhogendra Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
6. LALIT NARAYAN YADAV Son of Ganga Prasad Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani
7. RAJENDRA YADAV Son of Khattar Yadav Resident of Village- Basaha, P.S.- Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Ms.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 11-01-2023 Learned counsel for the petitioners seeks permission to withdraw the application with regard to petitioner no.2 Ram Bhavishya Yadav.

Permission is accorded.

Accordingly, this application with regard to petitioner no.2 Ram Bhavishya Yadav is dismissed as withdrawn.

Heard learned counsel for petitioner nos.1, 3 to 7 and



learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Babubarhi P.S. Case No.84 of 2022 registered under Sections 341, 323, 448, 324, 325, 504, 506, 354, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Petitioners have falsely been implicated in this case. The F.I.R. has been lodged after nine days of the alleged occurrence. Petitioners have got no criminal antecedent.

Learned A.P.P. for the State vehemently opposed the prayer for bail. It is submitted that there is specific allegation against petitioner no.2 that he gave farsa blow on Puja Kumari which hit near her eyes. Other accused persons are alleged to have looted domestic articles and golden chain. Therefore, they do not deserve anticipatory bail.

Having considered the above facts and circumstances of the case and the submissions advanced on behalf of the parties, let the above named petitioner nos.1, 3, 4, 5, 6 and 7 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bonds to the satisfaction of A.C.J.M. 1st,



Madhubani in connection with Babubarhi P.S. Case No.84 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

So far petitioner no.2 Ram Bhavishya Yadav is concerned, considering the nature of allegation made against him as well as the injury report, this Court is not inclined to grant him anticipatory bail. Accordingly, his prayer for bail is rejected.

(Arvind Srivastava, J)

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