

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76397 of 2023

Arising Out of PS. Case No.-337 Year-2023 Thana- JHAJHA District- Jamui

-
1. Birendra Yadav Son Of Mahadev Yadav Village Tahwa, Ps Jhajha, District Jamui
 2. Mahadev Yadav Son Of Late Banwari Yadav Village Tahwa, Ps Jhajha, District Jamui

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Jhajha P.S Case No. 337 of 2023 dated 05.07.2023 registered for the offence punishable u/ss 341, 323, 325, 307, 379, 504, 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, all the accused



persons holding weapons entered the house of the informant and assaulted his family members. On being objected, the co-accused Surendra Yadav gave a rod blow on his head and the petitioner no.1 gave a lathi blow on his hand. Thereafter, the co-accused Parvati Devi took Rs. 19000/- in cash. When the wife of the informant Sunju Devi came to rescue him, the accused persons also assaulted her and the petitioner no.1 took ear ring and the other accused persons looted golden and silver ornaments from the house of the informant.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that all the injuries are simple in nature. Learned counsel has further submitted that there is land dispute between the parties. It is further submitted that there is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and



circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Jhajha P.S Case No. 337 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

U		T	
---	--	---	--

