

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67098 of 2022**

Arising Out of PS. Case No.-15 Year-2020 Thana- NADI District- Supaul

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1. Lakshman Yadav, Son of Late Domi Yadav, Resident of village - Panchgachiya Koni, P.S.- Supaul Nadi, District - Supaul.
 2. Rakesh Kumar Yadav, Son of Krishna Dev Yadav, Resident of village - Panchgachiya Koni, P.S.- Supaul Nadi, District - Supaul.
 3. Bindeshwar Yadav, Son of Late Hukumal Yadav, Resident of village - Panchgachiya Koni, P.S.- Supaul Nadi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary
For the Opposite Party/s : Mr. Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-03-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 323, 327, 379, 504, 506 and other allied sections of Indian Penal Code.

As per prosecution case, on the alleged date and time, while the informant was draining out water from his courtyard through motor pump, these petitioners along with other F.I.R. named accused persons and 10 unknown miscreants variously armed arrived there to stop the drainage of water. Upon protest, they assaulted the informant as a result of which he sustained



injury. It is further alleged that they also snatched away cash and jewellery from informant's possession.

Learned counsel appearing for the petitioners submits that petitioners are innocent and no such occurrence had ever taken place, rather the prosecution side themselves were aggressors and they had badly assaulted these petitioners and their family members regarding which a case vide Supaul (Nadi) P. S. Case No. 16 of 2020 was lodged by petitioner No. 1 and only with a view to save their skin from the aforementioned case, this false and fabricated case has been lodged against the petitioners. He next submits that injuries allegedly sustained by the informant is simple in nature. Police after investigation submitted final form and differing with the same learned court below took cognizance against these petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Supaul in Supaul (Nadi) P. S. Case No. 15 of 2020, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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