

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72775 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- BAUNSI District- Banka

1. Saldeo Yadav S/O Samar Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.
2. Naresh Yadav S/O Samar Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.
3. Ashish Yadav S/O Saldeo Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.
4. Vikash Yadav @ Vikash Kumar Yadav S/O Saldeo Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.
5. Amrit Yadav @ Amrit Kumar @ Nawnit Kumar S/O Budal Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.
6. Girdhari Yadav @ Girdhari Kumar S/O Suresh Yadav Resident Of Village- Tetariya, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Verma
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-11-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 325, 379, 354(B), 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, on 05.05.2023, co-accused Sunil Yadav disrobed the informant with intent to outrage her modesty and when the husband of informant came to rescue, he was assaulted by all the accused persons including



these petitioners with *lathi* and iron rod. It is further alleged that co-accused Sunil Yadav committed theft of Rs. 20,000/- cash from the *almirah* of informant and co-accused Minki Yadav Devi snatched a silver chain from the informant.

4. It is submitted on behalf of petitioners that specific accusation of outraging the modesty of informant and committing theft of cash of Rs. 20,000/- is against co-accused Sunil Yadav. So far as these petitioners are concerned, there is general and omnibus allegation of commission of assault and no specific overt act has been alleged against them. It is further submitted that there is admitted land dispute between the parties, for which, title suit, vide Title (Declaration) Suit No. 224 of 2022, is pending before the court of learned Sub-Judge 1st, Banka. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has 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 C.J.M., Banka in connection with Baunsi



P.S. Case No. 124 of 2023 (G.R. No. 1486 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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