

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73210 of 2022

Arising Out of PS. Case No.-450 Year-2021 Thana- HARSIDHI District- East Champaran

1. SHIV NATH YADAV S/O CHIRKUT YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
2. VIBHISHAN YADAV @ BIBHISHAN YADAV S/O LATE BANARASI YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
3. KISHUNDEV YADAV @ KRISHNADEO YADAV S/O LAL BAHADUR YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
4. LALAN YADAV S/O LAL BAHADUR YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
5. BHIKHAR YADAV S/O LATE DHARO YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
6. MUKESH KUMAR S/O VIBHISHAN YADAV @ BIBHISHAN YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.
7. MITHU KUMAR S/O JAWAHAR YADAV Resident of village- Kanchhedawa, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 354, 504 of the Indian Penal Code.

Allegedly, after some altercation, petitioners assaulted the



informant side by deadly weapons. Petitioner nos. 6 & 7 disrobed and assaulted the aunt of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. The present case is the counter case of Harsidhi P.S. Case No. 449 of 2022 which was instituted against the informant and his family. The injuries sustained by the informant's side are simple in nature. Petitioner nos. 1 to 4, 6 & 7 have no criminal antecedent whereas petitioner no.5 has one criminal antecedent, as mentioned in para-3 of this application.

Learned counsel for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injuries sustained by the informant's side are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 lower Court where the case is pending/successor Court in connection with Harsidhi P.S. Case No.450 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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