

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80037 of 2023

Arising Out of PS. Case No.-65 Year-2021 Thana- BANDHUWA KURAWA District- Banka

1. Nago Yadav @ Nageshwar Yadav S/O Late Paro Yadav @ Late Paran Yadav Resident Of Tola Parasi, P.S- Bandhua Karaba, Distt.- Banka.
2. Sunil Yadav S/O Chaupal Yadav Resident Of Tola Parasi, P.S- Bandhua Karaba, Distt.- Banka.
3. Santosh Yadav S/O Ashok Yadav Resident Of Tola Parasi, P.S- Bandhua Karaba, Distt.- Banka.
4. Bindeshwari Yadav S/O Late Dhiro Yadav Resident Of Tola Parasi, P.S- Bandhua Karaba, Distt.- Banka.
5. Pramod Yadav S/O Bindeshwari Yadav Resident Of Tola Parasi, P.S- Bandhua Karaba, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.

3. As per F.I.R., allegation against the petitioners are of assaulting the informant and his brother.

4. It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Petitioners have got no criminal antecedent mentioned in Para 3 of the bail application. Earlier, the F.I.R. lodged under



Section 307 of the Indian Penal Code and other sections and petitioner was granted benefit of Section 41(1) of the Cr.P.C. Later on, police has submitted charge-sheet under Section 308 and other sections. Allegation against the petitioners are that they have assaulted the informant and his brother on the vital part of the body. Therefore, the anticipatory bail was rejected by the court below.

5. Learned APP for the State has opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and also petitioners were granted benefit of Section 41(1) Cr.P.C., let the above named petitioners, be released on bail, in the event of their arrest, 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 learned Court below where the case is pending/ successor Court in connection with Bandhua Kuraba P.S. Case No. 65 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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