

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.396 of 2023

Arising Out of PS. Case No.-333 Year-2021 Thana- BANKA District- Banka

1. BHOLA YADAV Son of Late Navin Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
2. Bikram Yadav Son of Bhola Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
3. Guddu Yadav Son of Mahaveer Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
4. Mantu Yadav Son of Kishan Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
5. Tinku Yadav Son of Sildhar Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
6. Rinku Yadav Son of Sildhar Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)
7. Angad Yadav @ Angad Kumar Son of Janardhan Yadav Resident of Village - Manikchak, P.S. and District - Banka (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratyush Pratap Singh
For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 143, 149, 448, 341, 323, 504, 506, 308 and 379 of the Indian Penal Code and under Section 3/4 of Prevention of Witch (Daain) Protection Act, 1999 pending in the learned court below.

As per the prosecution case, all the accused persons



armed with Lathi, Danda, Parkhanti and Bricks forcefully entered into the house of the informant and assaulted him and his family members.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that there is case and counter case between the parties and both sides have sustained injuries and injuries found upon the victims are simple in nature. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that injuries found upon the victims are simple in nature, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Banka P.S. Case



No.333 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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