

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4295 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- CHHATAPUR District- Supaul

1. Shankar Yadav S/O LATE BINESHWAR YADAV VILLAGE-BHAWANIPUR, PS. CHHATAPUR (RAJESHWARI O.P.), DIST. SUPAUL.
2. CHHOTELAL YADAV S/O SHANKAR YADAV VILLAGE-BHAWANIPUR, PS. CHHATAPUR (RAJESHWARI O.P.), DIST. SUPAUL.
3. JAI KUMAR YADAV S/O BASO YADAV VILAGE- RAGHUNATHPUR, PS. BHARGAMA, DIST. ARARIA.
4. ASHOK YADAV S/O YOG NARAYAN YADAV VILLAGE- GWALPARA, PS. CHHATAPUR (RAJESHWARI O.P.), DIST. SUPAUL.
5. RAM PRAVESH YADEAV S/O SHANKAR YADAV VILLAGE-BHAWANIPUR, PS. CHHATAPUR (RAJESHWARI O.P.), DIST. SUPAUL.
6. ANANDI YADAV S/O LATE AGAM LAL YADAV VILLAGE-BHAWANIPUR, PS. CHHATAPUR (RAJESHWARI O.P.), DIST. SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 341, 363, 364, 302, 201, 506, 34
of the IPC.

3. As per the prosecution case, on the request of the F.I.R.
named accused persons, the husband of the informant went



along with them on picnic and did not return even after 3 days.

On enquiry, the accused person threatened her to remain silent and said that her husband fled away some where.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. The alleged occurrence is said to have taken place on 01.01.2017 but the complaint case was lodged on 17.09.2019 i.e. after delay of more than two years, without giving any plausible reason, which is sufficient to create doubt about the prosecution case. There is no eye-witness to the alleged occurrence. There is no specific overt act against the petitioners. It is submitted that the present case is the counter-blast of Chhatapur P.S. Case No.25 of 2016. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the complainant is the eye-witness and on that basis, the complaint case was filed.

6. Having regard to the facts and circumstances of the case and considering the delay in lodging the complaint case, 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 court below where the case is pending/Successor Court in connection with Chhatapur (Rajeshwari O.P.) P.S. Case No.207 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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