

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10686 of 2024

Arising Out of PS. Case No.-332 Year-2020 Thana- PHULPARAS District- Madhubani

1. Shiv Kumar Yadav S/o Jivlal Yadav R/o Village - Suggapatti, P.S. - Phulparas, Dist. - Madhubani
2. Mukesh Kumar Yadav S/o Raj Kumar Yadav R/o Village - Suggapatti, P.S. - Phulparas, Dist. - Madhubani
3. Shiro Devi @ Shibo Devi W/o Shiv Kumar Yadav R/o Village - Suggapatti, P.S. - Phulparas, Dist. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-04-2024 By way of filing supplementary affidavit, learned counsel for petitioners submits that due to inadvertence, the name of husband of petitioner no. 3 has been wrongly typed as “Shiv Kumar Yadav” in place of “Raj Kumar Yadav”. Accordingly, he requests for making correction.

2. In view of aforesaid fact, the details of petitioner no. 3 in the cause title, instead of aforesaid, be read as follows:

“Shiro Devi @ Shibo Devi W/o Raj Kumar Yadav R/o Village - Suggapatti, P.S. - Phulparas, Dist. - Madhubani.”

3. Three petitioners apprehend their arrest in a case registered for the offence under Sections 447, 341, 323, 324, 308, 354, 379, 504 & 34 of the Indian Penal Code.



4. On the alleged date and time of occurrence, all the FIR named accused persons including petitioners came at the door of the informant and started abusing him and on protest, petitioner no. 1 assaulted informant by means of farsa over his head and when Sita Ram came to save informant, co-accused Raj Kumar Yadav assaulted by means of spade over his head. It is further alleged that accused persons assaulted nephew of the informant by means of butt of pistol and misbehaved with wife of informant and also damaged house-hold articles.

5. Learned counsel for petitioners submits that both parties are close door neighbours and due to petty dispute, a simple assault took place, in which, both sides sustained injury. There is case and counter case. As per injury report, the injury caused by petitioner nos. 2 & 3 are simple in nature and so far as injury caused by petitioner no. 1 is concerned, the same has been referred to D.M.C.H., Darbhanga for further treatment. Petitioners claim clean antecedent.

6. Learned A.P.P. for the State has opposed the bail petition.

7. 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 A.C.J.M. - II, Jhanjharpur (Madhubani) in connection with Phulparas P.S. Case No. 332 of 2020, corresponding to G.R. No. 1251 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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