

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16434 of 2024

Arising Out of PS. Case No.-432 Year-2023 Thana- BISFI District- Madhubani

1. SURENDRA YADAV Son of Mahag Yadav Resident of Village-Salempur, P.S.-Bisfi, District-Madhubani.
2. MANGANU YADAV Son of Mahag Yadav Resident of Village-Salempur, P.S.-Bisfi, District-Madhubani.
3. SONU KUMAR Son of Surendra Yadav Resident of Village-Salempur, P.S.-Bisfi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Saroj Kumar, Adv.
For the Opposite Party/s :	Mr.Syed Mojibur Rahman, APP.
	Mr. Vikas Kumar Jha, Adv.
	Mr. Rahul Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 324, 325, 379, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have surrounded the informant and abused him. On objection, on the order of petitioner no.2, both petitioner nos. 1 & 3 assaulted the informant brutally with deadly weapons due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioners that they are quite innocent and they have committed no



offence. No such occurrence as alleged ever took place. They have been falsely implicated in the present case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. The real fact is that the informant had taken Rs. 5,000/- from petitioner no.2 as a loan and when petitioner no.2 asked the informant to return the loan amount, he lodged this false case with intention to grab the said amount. It is further submitted that the date of occurrence is 24.10.2023 at 03.00 a.m. and the FIR has been lodged on 25.10.2023 at 10:30 a.m., but the informant admitted in the hospital on 23.10.2023 at 05.40 a.m. which is evident from the injury report of the injured. Thus, it shows that either injury report or FIR is false. Petitioner nos. 1 & 2 have one criminal antecedent, whereas petitioner no.3 has no criminal antecedent, as mentioned in para 3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of case, as it is evident from the injury report that the prosecution case is based on concocted facts, the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within 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 Bisfi P.S. Case No. 432 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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