

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18865 of 2024

Arising Out of PS. Case No.-304 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Shankar Kumar Yadav @ Shankar Yadav S/o Khushilal Yadav @ Fush Fush Yadav R/O Of Vill - Rampatti Shriganj, Ps - Rajnagar, Dist - Madhubani
2. Raju Yadav @ Raju Kumar Yadav S/o Khushilal Yadav @ Fush Fush Yadav R/O OF VILL - RAMPATTI SHRIGANJ, PS - RAJNAGAR, DIST - MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Rajnagar P.S. Case No. 304 of 2023 dated 28.11.2023 corresponding to G.R. No. 2296 of 2023 registered for the offences punishable u/ss 341, 323, 308, 379, 385, 325, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons along with three unknown miscreants are alleged to have surrounded the informant when he was returning from the market. The accused persons started abusing the informant and demanded Rs. 50,000/- as *rangdari*. On being



objected by the informant, the petitioner Raju Yadav put his pistol on this temple and threatened him to kill. The petitioner Shankar Yadav assaulted the informant on his head with dabiya due to which he sustained head injury. The petitioner Raju Yadav assaulted the informant's leg and hand with iron rod and the same was fractured. The co-accused persons Naval Yadav and Suman Yadav snatched the gold chain, watch and Rs. 25,000/- in cash from the informant. When the informant raised alarm, the accused persons fled away. Thereafter, the informant was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is a case and counter case between the parties. The occurrence took place on 06.11.2023 but the F.I.R. was lodged on 28.11.2023 and there is a delay of twenty days without any explanation. As per injury report (Annexure-P/2), the injury is simple in nature caused by hard and blunt substance and it is a result of road traffic accident. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, 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-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Madhubani in connection with Rajnagar P.S. Case No. 304 of 2023 corresponding to G.R. No. 2296 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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