

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21036 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- CHAUSA District- Madhepura

1. Pappu Yadav @ Avinash Kumar Son of Yogendra Yadav Resident of Village-Phulkiya, Ward No. 6, P.S.- Chausa, District- Madhepura
2. Bablu Yadav @ Brajesh Kumar Son of Yogendra Yadav Resident of Village-Phulkiya, Ward No. 6, P.S.- Chausa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Chausa P.S. Case No. 238 of 2023, lodged on 20.08.2023 under Sections 341, 323, 307, 354(B), 504, 506, 34 of the Indian Penal Code and later on section 302 of the I.P.C. was added.

3. As per the prosecution case, FIR has been lodged against nine named accused persons including the present petitioners. The allegation made in the FIR against the present petitioners is of assault, snatching of golden chain, two mobile phones and Rs.15,000/- cash as well as abused the female members.



4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel also submits that both the informant and petitioners are resident of the same village and for the same date and place of occurrence, there are two cases lodged i.e. one from the informant's side bearing Chausa P.S. Case No. 238 of 2023 and from the other side, Chausa P.S. Case No. 239 of 2023 was lodged. Counsel further submits that due to scuffling took place between the parties, section 302 I.P.C. has been added as the injured person died during the treatment.

5. Learned counsel for the petitioners submit that the criminal antecedent of the petitioners is not clean and there are two criminal cases pending against them in which they are on bail. The petitioners are in custody since 21.05.2023 in the present case. Counsel further submits that the charge-sheet has already been submitted in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioners above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees



Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura in connection with Chausa P.S. Case No. 238 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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