

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31433 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- BAUNSI District- Banka

1. Arun Kumar Yadav @ Arun Yadav Son Of Late Bhumeshwar Yadav Resident Of Village - Tetariya, P.S.- Bounsi, Distt- Banka
2. Ranjan @ Ranjan Yadav @ Ranjan Kumar Son Of Arun Kumar Yadav @ Arun Yadav Resident Of Village - Tetariya, P.S.- Bounsi, Distt- Banka
3. Rajeev Kumar @ Rajeev Yadav Son Of Arun Kumar Yadav @ Arun Yadav Resident Of Village - Tetariya, P.S.- Bounsi, Distt- Banka
4. Bulu Yadav @ Bulu Pd. Yadav @ Tulo Yadav Son Of Chhathu Yadav Resident Of Village - Tetariya, P.S.- Bounsi, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-05-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Baunsi PS. Case No.-215 of 2023, registered for the offences punishable under Sections 341, 323, 354, 307, 379, 504, and 506/34 of the Indian Penal Code.

3. The prosecution case as emerging from the FIR is that when the Informant along with her husband and her son were going to Bounsi Bazar, the Petitioners and co-accused persons assaulted her husband by lathi, danda and rod. When the



informant came to the rescue the accused-persons, they caused hurt to her with intention to outrage her modesty and they took her ornament also.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that in fact, the present case has been filed by the Informant as a counterblast to Bounsi P.S. Case No. 206 of 2023 filed by the Petitioner in regard to the same occurrence. There was free fight from both the sides and both sides also got injury.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly case and counter case and injury from both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Banka, in connection with Bounsi PS. Case No.-215 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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shailendra-

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