

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35288 of 2024

Arising Out of PS. Case No.-559 Year-2023 Thana- BIRAUL District- Darbhanga

1. Shyam Lal Kumar @ Shyam Lal Yadav S/o Late Vinod Yadav R/o vill - Sirsiya, P.s. - Biraul, Distt. - Darbhanga
2. Pyare Lal Yadav S/o Late Vinod Yadav R/o vill - Sirsiya, P.s. - Biraul, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Adv

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Biraul P.S. Case No. 559 of 2023 dated 20.11.2023 registered for the offences punishable u/s 457, 380 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the other co-accused persons armed with iron rod, lathi, danda and farsa surrounded the informant and assaulted him due to which he sustained multiple injuries. Further, when the wife of the informant, namely, Geeta Devi came to save him then accused persons assaulted her also. It is further alleged that accused



Binod Yadav took Rs. 3100/- from the pocket of the informant and accused Parmeshwar Yadav took golden Chain from the neck of the informant's wife.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The injuries sustained by the informant are simple in nature. Learned counsel has further submitted that there is a case and counter case between the parties and the petitioners side also lodged a F.I.R. bearing Biraul P.S. Case No. 561 of 2023 against the informant and his family members. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners, the injuries which was sustained by the injured are simple in nature and the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing



bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Biraul P.S. Case No. 559 of 2023, with a condition/s:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Jyoti/-

U		T	
---	--	---	--

