

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41875 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- BARARI District- Katihar

1. Kalanand Yadav son of Late Meghnath Yadav Village- Sukhasan W.No-16,
Ps- Barari Semapur Dist- katihar
2. Rakesh Kumar Yadav @ Rakesh Kumar son of Kalanand Yadav Village-
Sukhasan W.No-16, Ps- Barari Semapur Dist- katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2024 Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 379/34 of the Indian Penal Code.

3. As per the F.I.R., informant has alleged that she had gone to collect the money of group, in the meantime all the accused persons including petitioners attacked on her and petitioner no. 2 Rakesh Yadav assaulted over her head by iron rod due to which she fell down on the ground, co-accused Ravi Kumar Yadav assaulted her by lathi, Kalanand Yadav, petitioner no. 2 is the order giver and co-accused Kajal Devi snatched her



golden erring worth Rs. 35,000/-, co-accused Doli Devi snatched Rs. 6,000/-.

4. Learned counsel appearing for the petitioners submit that the petitioners are innocent and has falsely been implicated in this case. There is no specific allegation of assault against petitioner no. 1, he is only alleged to be order giver. There is case and counter case between the parties. Both the parties are neighbours. The injury is found to be simple in nature caused by hard and blunt substance. No independent witnesses have supported the prosecution case which creates doubt upon prosecution case. Petitioners have clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts of the case and also considering the clean antecedent of the petitioners, this anticipatory bail is allowed, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1st Katihar in connection with Barari (Semapur) P.S. Case No. 82/2024



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Ranjeet/-

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