

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69782 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- KHUDAGANJ District- Nalanda

1. BINDU YADAV SON OF RAMDEB YADAV RESIDENTS OF VILLAGE - ARJUN SHERTHUADIH, PS- KHUDAGANJ, DISTT- NALANDA
2. MUKESH YADAV SON OF DWARIKA YADAV RESIDENTS OF VILLAGE - ARJUN SHERTHUADIH, PS- KHUDAGANJ, DISTT- NALANDA
3. BIPIN YADAV SON OF DWARIKA YADAV RESIDENTS OF VILLAGE - ARJUN SHERTHUADIH, PS- KHUDAGANJ, DISTT- NALANDA
4. BHUTU YADAV SON OF BACHCHAN YADAV RESIDENTS OF VILLAGE - ARJUN SHERTHUADIH, PS- KHUDAGANJ, DISTT- NALANDA
5. RABINDRA YADAV SON OF LATE SANICHAR YADAV RESIDENTS OF VILLAGE - ARJUN SHERTHUADIH, PS- KHUDAGANJ, DISTT- NALANDA

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-01-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.4, submitting that during pendency of this application petitioner no.4 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.4 only.



5. Now, this application survives only for petitioner nos.1, 2, 3 & 5.

6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353 & 504 of the Indian Penal Code.

7. All the F.I.R. named accused persons, including these petitioners along with 15-20 unknown persons are said to have attacked on the police party by means of stone, lathi and danda inflicting injury to them.

8. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case with a false and concocted story. As a matter of fact, on the alleged time the villagers of Choudhary group have killed the maternal grandfather of the co-accused, Babuna Yadav due to which petitioners' side made altercation. In the meantime, the police came and started to assault the persons of petitioners side and apprehended co-accused, Babuna Yadav. With regard to the aforesaid murder, the police does not want to lodge the case. The present informant, who is S.I. of Khudaganj police, has lodged the present case with an intention to save his own skin because he was trying to save the accused of murder case. The allegation



levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1, 2, 3 & 5 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Khudaganj P.S. Case No.91 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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