

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77528 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- SUIYA District- Banka

1. DWARIKA YADAV son of Chandrika Yadav Village- Bhelwa Ps- Suiya Dist- Banka
2. Gultan Yadav son of Chandrika Yadav Village- Bhelwa Ps- Suiya Dist- Banka
3. Raj Kumar Yadav @ Raj Kumar son of Chandrika Yadav Village- Bhelwa Ps- Suiya Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APp

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Suiya P.S. Case No. 191 of 2022 dated 28.12.2022 registered for the offences punishable u/ss 341, 323, 325, 354, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner was constructing the house without partition and when the informant objected such construction then the petitioner and the co-accused persons started abusing the informant and also assaulted her with fists and slaps. When the daughter-in-law of the



informant came to rescue her, they were also assaulted by the accused persons. It is further alleged that the petitioner assaulted on the head of one Chanchala Devi with lathi due to which she sustained injury. The accused persons snatched mobile phone of Pinki Devi and also threatened of dire consequence.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. The allegation of snatching the mobile against the petitioners is ornamental. The petitioners have no concern with the alleged offence and no offence of Section 354 of I.P.C. is made out against the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Banka in



connection with Suiya P.S. Case No. 191 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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