

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76825 of 2024

Arising Out of PS. Case No.-379 Year-2024 Thana- MADHEPURA District- Madhepura

1. Chano Yadav @ Chandeshwari Yadav Son of Nathuni Yadav village- Bhadol, Ward no. 3, ps- Madhepura, Dist- Madhepura
2. Rajkumar Yadav @ Shiv Kumar Son of Chandeshwari Yadav @ Chano Yadav village- Bhadol, Ward no. 3, ps- Madhepura, Dist- Madhepura
3. Mithilesh Yadav @ Mithilesh Kumar Son of Chandeshwari Yadav @ Chano Yadav village- Bhadol, Ward no. 3, ps- Madhepura, Dist- Madhepura
4. Diwakar Kumar Son of Chandeshwari Yadav @ Chano Yadav village- Bhadol, Ward no. 3, ps- Madhepura, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Adv.
For the Opposite Party/s : Mrs.Madhuri Lata, APP
Mr.Rupesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

15 12-11-2024 Heard learned counsel for the petitioners, learned counsel
for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 147, 341, 323, 324, 307, 354-B,
379 of the IPC.

3. At the very outset, learned counsel for the petitioners
seeks permission to withdraw this application, with regard to the
petitioner no.3.

4. Permission is granted.

5. Accordingly, this application with regard to the petitioner



no.3 is dismissed as withdrawn.

6. However, petitioner no.3 is at liberty to surrender before the learned Court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

7. Now, the present application is being heard for consideration of bail on behalf of the petitioner nos.1, 2 and 4.

8. Allegation against the petitioners is that they along with other co-accused persons assaulted the informant's side.

9. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The injury report has though suggested some grievous injury but the same is not specifically attributable upon the present petitioners. Both sides have sustained injuries and there is case and counter-case between the parties. Petitioners have no criminal antecedent.

10. Learned APP for the State as well as learned counsel for the informant vehemently opposed the prayer for bail.

11. Having regard to the facts and circumstances of the case,



considering that there is no specific allegation against the petitioner nos.1, 2 and 4, let the above named petitioner nos.1, 2 and 4 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 court below where the case is pending/Successor Court in connection with Madhepura P.S. Case No.379 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

12. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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