

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82764 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- ARIYARI District- Sheikhpura

1. SURESH PRASAD YADAV @ SURESH PRASAD YADAV @ JIRO YADAV SON OF ARJUN PRASAD @ ARJUN YADAV RESIDENT OF VILLAGE- NABINAGAR, KAKRAR, PS- ARIARI, DISTT- SHEIKHPURA
2. AJAY YADAV SON OF PRASADI YADAV RESIDENT OF VILLAGE- NABINAGAR, KAKRAR, PS- ARIARI, DISTT- SHEIKHPURA
3. SHIWALAK YADAV @ LATO YADAV SON OF PRASADI YADAV RESIDENT OF VILLAGE- NABINAGAR, KAKRAR, PS- ARIARI, DISTT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned A.P.P.

for the State.

2. At the very outset, learned counsel for the petitioners submits that at present he is pressing this application only in respect of petitioner nos.1 and 3 and for petitioner no.2 he will file a separate application.

3. The petitioner nos.1 and 3 apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 354B, 379, 566 and 504 of the Indian Penal Code.



4. Petitioners along with other co-accused is said to have assaulted the informant sustaining injuries on his head, left arm and right leg.

5. 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. It is further submitted that both the parties are co-villagers and next door neighbours and due to petty dispute a free fight took place between them in which both the parties sustained injuries. It is further submitted that the allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no allegation against the petitioners of outraging the modesty of minor niece of the informant. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide Annexure-4 series to this application. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

7. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 and 3, 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 Ariari P.S. Case No.259 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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