

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17487 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- MANPUR District- West Champaran

1. Chhotelal Yadav Son of Late Gauri Shankar Yadav Resident of Village - Bakulahiya, P.S. - Manpur, District - West Champaran
2. Rajendra Yadav Son of Late Gauri Shankar Yadav Resident of Village - Bakulahiya, P.S. - Manpur, District - West Champaran
3. Nand Lal Prasad Yadav @ Nand Lal Yadav Son of Late Gauri Shankar Yadav Resident of Village - Bakulahiya, P.S. - Manpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Manpur P.S. Case No. 66 of 2024 registered for the alleged offences under Section 191(2), 191(3), 190, 329(4), 126(2), 115(2), 118(1), 74, 109, 352, 351(2), 351(3) of the B.N.S.

03. As per prosecution case, the petitioners and other co-accused persons making an unlawful assembly armed with *lathi*, iron rod and *farsa* came to the land of the informant who was getting the crop of paddy cut. The petitioner no. 1 is husband of the informant and he and other co-accused persons abused the informant and assaulted her. One Madan Yadav who tried to save her was also assaulted.



04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The present case is counter blast of Manpur P.S. Case No. 65 of 2024. The informant has deserted her husband (petitioner no.1) and the informant is having illicit relationship with co-villager Madan Yadav who has forcibly occupied the landed property of the petitioner no. 1. The injury report of the informant and Madan Yadav shows simple and superficial nature of injuries. Learned counsel further submits that the informant has been taking Rs.30,000/- as maintenance amount from petitioner no. 1 who is a Government teacher and the informant has been leading an adulterous life. Time and against false cases have been lodged by the informant. Petitioner no. 1 has got antecedent to two cases but both the cases have been lodged by the informant under Section 498 A and 354(B) of the I.P.C. Petitioner nos. 1 and 3 are having clean antecedent. Learned counsel reiterates that in fact no occurrence as alleged took place and in order to save herself the informant has got registered this false case.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners. Learned A.P.P. submits that the corresponding injuries have been found on the victims.

06. Having regard to the facts and circumstances and



submission made on behalf of the parties and considering the simple and superficial nature of injuries and further considering the counter version and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Court of learned C.J.M., Bettiah, West Champaran in connection with Manpur P.S. Case No. 66 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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