

IN THE COURT OF MR. BRAJESH KUMAR SINGH
Additional Sessions Judge-VI, Danapur, Patna

A.B.P. No.8080/2022

(Arising out of Khirimore P.S. Case No. 96/2022)

In the matter of: -

NRESH YADAV AND ORS

.....PETITIONERS

Versus

THE STATE OF BIHAR

...PROSECUTION

ORDER

24-12-2022

Appearance for the Parties: -

Shri Anil Kumar Singh Ld. Advocate for the Petitioners

Shri Ramkeshwar Prasad, Ld. Addl.P.P for the Prosecution/State of Bihar

(1) This A.B.P has been filed by petitioners namely, (1) Naresh Yadav, S/o- Late Ram Ishwar Yadav, (2) Bijendra Yadav, S/o- Late Ram Ishwar Yadav, (3) Shila Devi, W/o- Late Ram Ishwar Yadav, (4) Anjali Devi, W/o- Bijendra Yadav, and (5) Priti Devi, W/o- Lal Babu Yadav, all R/o- Achal Tola, P.S- Khirimore, Dist- Patna seeking pre-arrest bail in as much as they are apprehending their arrests in connection with Khirimore P.S Case No:- 96/2022 U/s -341/323/325/354(B)/379/34 IPC.

(2) The prosecution story has been initiated after the lodgment of written information by one Jitendra Kumar (Informant) before the SHO of Khirimore P.S stating therein that on 5.00 P.M, the accused persons namely, Naresh Yadav (P-1) and Bijendra Yadav (P-2) have attacked him with lathi and garasa because of which he became unconscious, and fell down on the ground. Thereafter, when the informant's wife Manju Devi came to rescue him , then the co-accused namely, Shila Devi (P-3) Anjali Devi (P-4) and Priti Devi (P-5) came in support of the accused persons, and assaulted the informant and his wife. Thereafter, Bijendra Yadav outraged the modesty of informant's wife and

1 | Page

Order dated 24/12/2022 in A.B.P.No. 8080 of 2022
(Naresh Yadav and Ors. Vs. State of Bihar)

IN THE COURT OF MR. BRAJESH KUMAR SINGH
Additional Sessions Judge-VI, Danapur, Patna

tore her blouse. While leaving scene, they took away jitiya, ear rings of informant's wife.

- (3) I have heard the ld. Counsel for the petitioners and ld. Counsel for the state.
- (4) From the perusal of records especially the case diary it has come out that because of fight between the children of rival family, this dispute has started. Because of the dispute, the accused allegedly attacked informant and her wife. As per para-18 of the case diary, the police reported that the accused persons have got no criminal antecedents. As per injury report, the injury suffered by the informant is simple in nature. As far as, the allegation U/s 354(B) is concerned, the allegation is against the co- accused Bijendra Yadav and no similar allegation is leveled against these petitioners. Let the same be investigated and proved during the trial. I find it a fit case for entertaining this ABP. **Hence, ABP No:- 8080/2022 is allowed.**
- (5) Accordingly, let the petitioners namely as mentioned in para-1, in event of their arrests or surrender within thirty (30) days from the communication of the order in the court below, be enlarged on the bail bond of Rs. 25,000/- each with two sureties of like amount each to satisfaction of the court below subject to conditions laid down U/S- 438(2) Cr.P.C..
- (6) O/C is directed to send a copy of this order immediately to the court of Miss Sanam Hayat, Ld. JMFC, Danapur immediately.
- (7) Deposition writer is directed to upload the scanned copy of this order on the website immediately.



BSR
24/12/2022

BRAJESH KUMAR SINGH
Additional Sessions Judge-VI
Danapur, Patna
24/12-2022

