

In the Court of Addl. Sessions Judge-I Godda

Schedule XLII- High Court (J) 9a [Old (M) 164]

Sl No.	Date of Order proceeding	Order with signature of the court	Office action Of taken with date
1	2	A.B.P. No. 977/2022	
	05.11.2022	Present anticipatory bail petition has been filed on behalf of the petitioners namely, Bhim Yadav, Bittu Yadva, Judgmed Yadav and Chhotu Yadav, who are apprehending their arrest in connection with Godda(M) no.242/2022, registered U/Ss 147,149,341,323,307,379,504,506 I.P.C. & Section 25 of the Arms Act. Heard the learned counsel for the petitioner Mr. Om Prakash Kapri and Ld. Addl. P.P. Sri Pradeep Das appearing on behalf of the State. The case of the prosecution in brief is that one by name Suman yadav son of Ujagar Yadav a resident of village Chilona P.S.Godda(M) lodged a case with police on 20.08.2022 while he was in emergency ward of Bed no. 09 at General Hospital ,Godda at around 9.25 a.m. alleging interalia that likewise previous day while he was proceeding to Godda at around 8 a.m. on 20.08.2022 with his pick up van to go to Mandi Bazar at that moment these petitioners who are his co-	

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	Contd.05.11.2022	sharers from before were in search of this petitioner armed with lethal weapons started showering abusing languages out of whom Judgment Yadav told him that you have disclosed in the house when he had forbade him not to disclose. Further in the meantime Bhim Yadav fired thrice from his arms and Judgement Yadav started assaulting him with Iron rod and all others also assaulted him with farsa on his shoulder and on whole body. Further after hearing his distress cry his father and brothers rushed to rescue him then they too were not spared and assaulted them mercilessly. Further Judgment Yadav and Chhotu Yadav had come there with pistols in their hands. These persons are extremely obstinate and incorrigible persons. Further 5-6 days ago while the informant was returning home from Godda market at around 4.30 P.M. it is these Judgement Yadav, Chhotu Yadav, Bittu Yadav who abtained him in the way and took out Rs.4700/- from his pocket which he had earned during whole day and had also warned him not to reveal this otherwise they would done to death him. Further he has no	

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	Contd.05.11.2022	enemy and everyday he uses to go to Godda with his pick up van and returns home in evening and lastly prayed for drastic action against the culprits. Hence this case. On behalf of petitioner accused learned lawyer submitted that no bail plea on behalf of these petitioners has been filed in any manner in any higher courts at all times earlier nor the same has been disallowed. Further submitted that petitioners are out and out innocent and have committed no offence. Further submitted that there are land dispute between the parties . The injuries caused to injured Suman Yadav, Amar Kumar , Lalu Kumar, Amit Yadav, Ujagar Yadav, Mithun Yadav, all suffered simple injuries, which issued by the M.O.,Godda on different dates. Further submitted that in this case six co-accused have already granted bail on 29.09.2022 and the same is of same footing and pray that the petitioner accused may be provided the benefit of bail. On behalf of state, learned Addl.P.P. submitted that the allegation against the petitioner are serious in nature.	

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	Contd.05.11.2022	Further submitted that accused petitioners do not deserve bail. Heard in details perused the record , it is transpired that informant Suman Yadav lodged case against 10 accused persons, in which alleged that they beated by stick and danda but injury report dt. 20.08.2022 is clearly shows that all allegations are common nature , in which injured suffered simple injuries. Six co-accused have already granted bail and matter is same footing. After considering all facts and circumstances, Court found that it is proper to provide the benefit of bail to the accused petitioners. Hence the A.B.P. no. 977/22 filed on behalf of Bhim Yadav, Bittu Yadva, Judgmed Yadav and Chhotu Yadav is hereby allowed and petitioners are directed to surrender before the concerned court within one month from today and in event of their arrest or surrender they shall be released on bail after furnishing bail bond of Rs. 7,000/- with one surety of the like amount each to the	

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	Contd.05.11.2022	satisfaction of the concerned court, subject to condition enumerated u/s 438(2) Cr. P.C. Sd/- Addl. Sessions Judge-1 Godda. Memo no. Dated, Godda..... Copy forwarded to the court of C.J.M., Godda for information and needful in connection with Godda(M) P.S. case no. 242/2022. Addl. Sessions Judge-1 Godda.	