

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47671 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -VIJAYPUR District- GOPALGANJ

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1. Mankeshwar Yadav Son of Late Garju Yadav
 2. Bineet Yadav @ Bineet Kumar Yadav Son of Ram Suraj Yadav
 3. Jitendra Yadav @ Jitendra Kumar Yadav Son of Mankeshwar Yadav
 4. Shubhawati Devi Wife of Ram Suraj Yadav All residents of Village + P.S. - Bijaypur, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Gajendra Pd. Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 16-10-2015 Heard Sri Ranjeet Kumar Pandey, learned counsel for the petitioners and Sri Gajendra Prasad Yadav, learned A.P.P.

Four petitioners, apprehending their arrest in connection with Bijaypur P.S. Case No. 153 of 2014 registered for the offence punishable under Section 307 and other allied Sections of the Indian Penal Code have prayed for grant of anticipatory bail.

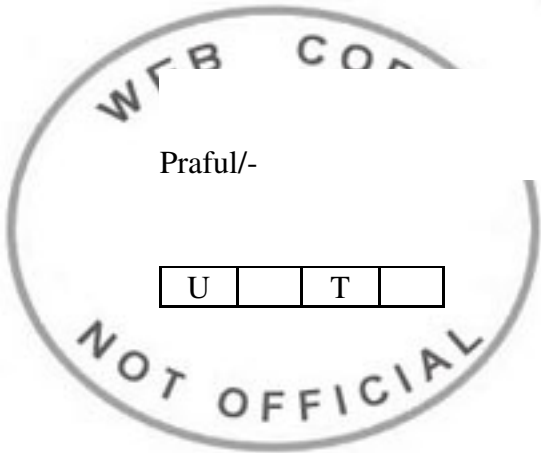
Learned counsel for the petitioners submits that of-course in the F.I.R. allegation has been made regarding giving assault but no injury report was brought on record which was noticed by the learned Sessions Judge while hearing anticipatory bail petition of these petitioners. He further submits that actual fact is that the informant's side were aggressor and they had



committed an occurrence in which all the petitioners had received injuries. Photo copy of injury report of all the petitioners has been brought on record as Annexure – ‘3’ series to the present petition. He submits that for the occurrence in which petitioners were assaulted from the informant’s side of the present case an F.I.R. has been lodged vide Bijaipur P.S. Case No. 154 of 2014 for offence punishable under Section 307 and other allied Sections of the Indian Penal Code. He further submits that before the learned court below compromise petition was also filed which was noticed by the learned Sessions Judge.

Be that as it may, keeping in view the fact that it is admitted case that petitioners and informant are ‘*pattidars*’ and there is dispute in between the parties and there is case and counter case, the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail. Accordingly, in the event of arrest or surrender within a period of eight weeks from today, let the four petitioners namely, Mankeshwar Yadav, Bineet Yadav @ Bineet Kumar Yadav, Jitendra Yadav @ Jitendra Kumar Yadav and Shubhawati Devi be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Mishra, learned Judicial Magistrate, Gopalganj, in

connection with Bijaipur P.S. Case No. 153 of 2014.



Praful/-

(Rakesh Kumar, J)