

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51889 of 2014

Arising Out of PS.Case No. -450 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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1. Sudhir Kumar Yadav @ Sudhir Prasad Yadav S/o Sri Jawahar Yadav
2. Lalit Sah @ Lalit Sada S/o Sri Dahu Sah
3. Ravi Shankar Yadav S/o Sudhir Kumar Yadav
4. Dil Khush Kumar S/o Late Ram Sweak Singh
All R/o village - Bancholha, P.S. Sour Bazar, District – Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Md.Nazir Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 26-05-2015 Heard Mr. Sharma for the petitioner and Mr. Ram Chandra Singh, APP for the State.

All the four petitioners herein are cited as accused in Sour Bazar (Baijnathpur O.P.) P.S. Case No. 450 of 2014 instituted under diverse penal provisions of the Penal Code including Section 307 IPC.

The allegation is that while the informant was going on cycle, these petitioners surrounded him and assaulted with *lathi* and *danda*. When the witnesses came to rescue, they too were also assaulted. Counsel for the petitioners has submitted that the root cause of the occurrence is inter-caste marriage. The mother of the petitioner no. 4 who is also mother-in-law of petitioner no. 1 lodged a case against the present informant under diverse



provisions of the Penal Code including Section 354IPC. All happened due to the said inter-caste marriage. The petitioners have no criminal antecedent save and except few cases under minor sections owing to dispute with the *gotiyas*. Referring to the injuries sustained by the prosecution side, it has been submitted that they are superficial and simple in nature. The petitioners undertake not to indulge in any such offence if privileged with anticipatory bail

In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Saharsa in Sour Bazar (Baijnathpur O.P.) P.S. Case No. 450 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to

cancel the bail bond of the petitioners secure their arrest in
accordance with law.

Pankaj/-

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(Kishore Kumar Mandal, J)

