

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35566 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -JADIA District- SUPAUL

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1. Budhan Yadav @ Budan Yadav
2. Nunu Lal Yadav
3. Chandra Kishore Yadav
 All sons of late Lakhi Yadav
4. Bipin Yadav @ Bipin Kumar Yadav, Son of Budhan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 342, 323, 324, 325 and 307 of the Indian Penal Code.

The prosecution case is that all the accused persons including the petitioners assaulted the husband of the informant with 'lathi', iron rod and 'farsa' when wife of the informant came to rescue she was also assaulted.

It is submitted by learned counsel for the petitioners that for a dispute with regard to fencing of lands the accusation has been levelled and the injury has been found to be simple in

nature, a statement to that effect has been made in paragraph 7 of the petition. Moreover, the accusation is omnibus and general.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for two months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Supaul in connection with Jadia P.S. Case No.17 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provision bail of the petitioners shall be confirmed by the learned court below on verification of the fact that the injury caused to the informant and other found to be simple in nature but, if it is found otherwise then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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