

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6705 of 2016

Arising Out of PS.Case No. -51 Year- 2014 Thana -PHULPARAS District- MADHUBANI

1. SURYA NARAIN YADAV
2. Bindu Yadav @ Binde Yadav @ Binda Yadav Both sons of Lagte Banku Yadav and residents of village - Danda Tole Phulapras, Police Station - Phulpra, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav, Advocate

For the Opposite Party/s : Mr. S.N.Shukla(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

Petitioners seek bail in connection with Phulparas P.S. Case No. 51 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code.

Allegedly, due to land dispute, the F.I.R. named 11 accused persons including the petitioners being armed with *Lathi*, *Danda*, *Farsa* and *Tengari* came and assaulted the informant, Ram Udgar, Ram Autar Yadav, Dabri Narain Yadav, Pramod Yadav, Dharmendra Yadav, Krishna Kumar Yadav and Sumitra Devi causing injury to them and Ram Udgar Yadav, Ram Autar Yadav

and Badri Narain Yadav were referred to D.M.C.H. for better treatment.

Submission is of false implication and that the informant and her men were aggressors, against them in proceeding u/s 144 Cr.P.C. notice was made absolute vide Misc. Case no. 272 of 2014, there is case and counter case, both sides have received injuries, chargesheet has already been submitted and, as such, the petitioners who are suffering in custody since 02.10.2015, deserve sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioners, above named, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Distt. Madhubani in connection with Phulpras P.S. Case No. 51 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive

dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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