

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6548 of 2016

Arising Out of PS.Case No. -274 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Rajendra Yadav Son of Bhikho Yadav,
2. Ram Yadav, S/o Rajendra Yadav,
3. Jaiprakash Yadav,
4. Om Prakash Yadav, Both sons of Shiv Kumar Yadav,
5. Mauze Yadav, Son of Ram Tahal Yadav,
6. Ram Tahal Yadav, S/o Bhikho Yadav,
7. Shrawan Yadav @ Sharawan, S/o Raso Yadav,
8. Savitri Devi, w/o Shiva Kumar Yadav All resident of village - Nadiyani,
P.S. - Kusheshwar, Asthan, District - Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Nath Mishra

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-03-2016 Heard learned counsel, appearing on behalf of the

petitioners, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out of

Kusheshwar Asthan P.S. Case No. 274/2015, disclosing offences

under sections 147, 148, 149, 447. 341, 323, 324, 307, 379, 504,

506 of the Indian penal Code.

 Learned counsel for the petitioners submits that there are

altogether 19 persons, who have been named in the First

Information Report, most of whom belong to the same family. He



also submits that a title suit between the parties is the reason behind the occurrence and the present First Information Report is an exaggerated version of the incident, which had taken place. He also submits that the present case is a counter blast to Kusheshwar Asthan P.S. Case No. 270/2015 lodged on 2.10.2015 before the present F.I.R. was registered on 6.10.2015.

It has been stated that the petitioners have no criminal antecedent. It has further been stated that the allegations of assault against all the petitioners except petitioners no. 5 and 7 are general in nature. According to him, there is no chance that the petitioners shall tamper with the evidence or influence the witnesses in any manner.

Considering the nature of dispute between the parties and the genesis of occurrence, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Biraul (Darbhanga) in K.Asthan P.S. Case No. 274/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall

present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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