

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43393 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -PARAIYA District- GAYA

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1. Rakesh Yadav Son of Sidhi Yadav
 2. Kapura Devi wife of Sidhi Yadav
 3. Ravindar Yadav son of Shivi Yadav
 4. Parmod Yadav son of Devraj Yadav. All Resident of Village-
Bishunpura, P.S.- Paraiya Distt- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the Opposite Party/s : Mr. T.N.Thakur(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-02-2016

Heard learned counsel for the petitioners, learned
counsel for the informant and learned A. P.P. for the State.

Petitioners apprehend their arrest in connection with
Paraiya P.S. Case No. 41 of 2015 registered for offences
punishable under Sections 147, 148, 149, 341, 323, 307, 504 and
506 of the Indian Penal Code.

The prosecution case, in brief, is that the informant
gave her fardbeyan before Sub-Inspector of M.M.P.S. in
A.N.MM.C.H., Gaya alleging that on 14.05.2015 at about 8:00
P.M. while the informant along with her family members was in
her house, suddenly accused persons came there and started
abusing and assaulting her by means of lathi and Garansha with a

view to kill her. When informant's husband came to save her, accused Sidhi Yadav assaulted him by means of Garansha on frontal region of his head, thereafter, family members brought the injured to ANMMCH, Gaya for treatment.

It has been submitted by the counsel for the petitioners that there was a land dispute between the parties and the allegation against these petitioners is general and omnibus. It has further been submitted that the petitioners have no criminal antecedent, as is evident from paragraph 3 of this petition. Furthermore, the counsel for the petitioners submits that the injury is simple in nature and cannot be attributed to the petitioners. A counter case has also been lodged by the petitioners against the prosecution, including the husband of the informant, bearing Paraiya P.S. Case No. 39 of 2015, which evidently shows that both the parties are inimical to each other. It has also been submitted by the learned counsel for the petitioners that other accused persons, having similar allegations, have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court under order dated 13.10.2015 passed in Cr. Misc. No. 43957 of 2015. I do not propose to take a different view in the matter.

Learned counsel for the informant, on the other hand, submits that the petitioners are named in the First Information

Report.

Be that as it may, allegations against the petitioners being general and omnibus, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Paraiya P.S. Case No. 41 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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