

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44079 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -MANSI District- KHAGARIA

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1. Ranjeet Yadav
2. Arbind Yadav,
Both are Sons of Siya Yadav, Resident of Village-Amni, P.S.-Mansi, District-Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar, Advocate.

For the Opposite Party/s : Mr. Sakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-10-2016

Heard learned counsel for the parties.

The petitioners apprehend arrest in connection with Mansi P.S.

Case No. 91 of 2016 dated 08.05.2016 (G.R.No. 965 of 2016) registered under Sections 323, 341 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners and another co-accused is of general and omnibus assault by *lathi* and *danda*.

Learned counsel for the petitioners submits that the falsity of the case would be apparent from the fact that no motive has been mentioned in the FIR. It is stated that the same has been lodged with an ulterior intention because the father of the informant and brother of the petitioner were supporting rivalry sides in the Panchayat Election and due to this reason, one Ram Pravesh Yadav, at the instance of the father of the informant, has lodged a case, being Mansi P.S. Case No. 90 of 2016 dated 07.05.2016, against the petitioner no. 1 and besides that there is no other

case against the petitioners. It is submitted that the younger brother of the petitioners has also filed a case against the informant side. It is submitted that due to rivalry and village politics, the petitioners, who are brothers, have been falsely implicated in the present case. Learned counsel submits that even the injury report does not disclose any grievous hurt.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsels for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, named above, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 91 of 2016 (G.R.No. 965 of 2016), subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further that:

- (a) The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

(Ahsanuddin Amanullah, J)

Sujit/-

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