

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30995 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -GAUTAMBUDHNAGAR District- SIWAN

1. Prabhu Yadav Son of Baban Yadav Resident of Village- Bahadurpur,
Police Station G.B.Nagar, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 09-08-2016 Heard the Counsel for the petitioner and Mr. M.
Dayal, APP for the State.

Petitioner seeks anticipatory bail in G.B. Nagar P.S.
Case No. 54 of 2016 registered under Sections 341, 323, 324, 307,
379/34 of the Indian Penal Code.

According to the prosecution case, both parties are
agnates having separate place of residence. It is alleged that on the
date of occurrence, while the informant was at his residence, the
petitioner came and assaulted with knife. When his son came for
rescue, he was also inflicted with knife injury. A case was also
lodged by the present accused side wherein it has been alleged that
the informant and his son along with others forcibly intruded into
the house of the petitioner and assaulted two lady members and



one male member who received injuries at the hands of the informant and other associates. The injuries found on the person of the informant and his son were simple in nature. The injury sustained by the mother, wife and father of the petitioner is enclosed as Annexure-4 series to the application. The learned Sessions Judge in the impugned order has noticed from the investigation report that the place of occurrence was the house of the petitioner.

Considering the above as also the injuries sustained by both parties, I am persuaded to extend the privilege of anticipatory bail to the petitioner.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in G.B. Nagar P.S. Case No. 54 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear

in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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