

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29027 of 2017**

Arising Out of PS.Case No. -209 Year- 2016 Thana -LAXMIPUR District- JAMUI

- =====
1. Bachchu Yadav, son of late Ghutar Yadav,
  2. Bhairu Yadav @ Bhairo Yadav, son of late Ghutar Yadav
  3. Sunita Devi, wife of Bachchu Yadav
  4. Ajit Kumar, son of Bachchu Yadav
  5. Poshan Yadav, son of Bahadur yadav
  6. Jalsi Devi, wife of Bhairu Yadav

All are resident of village- Singhiya, P>S.- Laxmipur, Distt. Jamui.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      13-07-2017                      Heard learned counsels for the petitioners and the  
  
State.

The petitioners apprehend their arrest in connection  
  
with Laxmipur P. S. Case No. 209 of 2016 instituted under  
  
Sections 307, 323, 324, 343 and 504/34 of the Indian Penal Code.

The allegation, in brief, is that accused persons  
  
assaulted the informant on the issue of irrigating field of Bhairu  
  
Yadav and gave an axe blow over the head of the informant and  
  
when other family members came to rescue then they also  
  
assaulted them.

It is submitted that there is case and counter case  
  
between both sides on a petty issue of irrigation by each other.  
  
However, allegations are general and omnibus and these



petitioners have no criminal antecedent.

Learned counsel for the petitioners wants to withdraw the bail application filed on behalf of the petitioner no. 1, as he has been arrested.

Accordingly, bail application on behalf of the petitioner no. 1 is dismissed as having become infructuous.

Having considered the fact that allegation of assault on the head of the informant by an axe is specific against Bhairu Yadav, petitioner no. 2, so prayer for anticipatory bail of this petitioner is rejected.

As far as rest petitioners i.e., petitioner nos. 3 to 6 namely, Suita Devi, Ajit Kumar, Poshan Yadav and Jalsi Devi are concerned, they are directed to be released on anticipatory bail, in the event of arrest or surrender before the court below within four weeks from today, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Lalan Kumar, A.C.J.M.-III, Jamui in connection with Laxmipur P.S.Case No.209 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

**(Arun Kumar, J)**

Sujit/-

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