

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52281 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Ram Pravesh Yadav, Son of Hari Yadav.
2. Hari Yadav, Son of Late Chandrika Yadav.
3. Munna Yadav, son of Laljeet Yadav.
4. Subash Yadav, Son of Late Nathuni Yadav, All are residents of Village Telpur, Police Station-Lauriya, District- West Champaran.
5. Nagendra Kushwaha @ (Bhagat), Son of Jhotil Kushwaha, resident of Village- Paroraha, Police Station- Lauriya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Lauria P.S. Case No. 90 of 2017 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code.

It is alleged against petitioner No. 1 that he assaulted the informant with Farsa on the head and the petitioner No. 4 is alleged to have assaulted the informant's son with Dabiya. It is further alleged that petitioner No. 1 assaulted the brother of the informant with Farsa which hit on his left ear.

The case diary has been received.

Learned APP has submitted that the injury report



of the informant and Santosh Yadav are available wherein the doctor has found all the injuries to be simple in nature, caused by hard and blunt substance.

Counsel for the petitioners has submitted that there is case and counter case between the parties. The petitioner No. 1 has also lodged Lauriya P.S. Case No. 89 of 2017 against the informant and others. The petitioner No. 1 has sustained grievous injury in that occurrence. The injury report of petitioner No. 1 has been annexed as Annexure-4 to this petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Lauria P.S. Case No. 90 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, West Champaran, Bettiah subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and



absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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