

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40337 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. NEPO YADAV @NEPAL YADAV, Son of Laldhari Yadav,
2. Pappu Kumar @ Pappu Yadav Son of Ram Bilash Yadav, Both R/o
Village- Rajapur, P.S.- Muffasil (Singhaul), District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-09-2017 Heard learned counsel for the petitioners and leaned
Additional Public Prosecutor of the State.

The petitioners are apprehending his arrest in connection with Muffasil (Singhaul) P.S. 138 of 2017 registered for offences punishable under Sections 341, 323, 307,504 and 506/34 of the Indian Penal Code.

The accusation is that the petitioner No. 1 had assaulted the informant with iron rod on the head and petitioner No.2 assaulted the informant with iron rod, which hit the right hand of the informant. The injury report, is annexed as Annexure-4, which shows that both injuries are simple in nature.

It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and have committed no offence.They have falsely been implicated in the present case due



to land dispute.

Learned Additional Public Prosecutor opposes the prayer of bail.

In the facts and circumstances of the case, and taking into consideration that injuries are simple in nature, the prayer of Anticipatory bail of petitioners are allowed and they in the event of arrest or surrender before the Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each in connection with Muffasil (Singhaul) P.S.Case No. 138 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other 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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