IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3807 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -KUSHESHWARSTHAN District-DARBHANGA

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1. Nageshwar Yadav, son of Late Lakhub Yadav,
2. Phulo Yadav, Son of Bakau Yadav,
3. Deo Narayan Yadav, Son of Bakau Yadav, All are resident of village-Morkahi, P.S. Kusheshwar Asthan, District-Darbhanga.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ranjit Kumar Yadav
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

7 03-07-2017 Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kusheshwar Asthan P.S. Case No. 94 of 2016, registered under Sections 447, 341, 323, 325, 307, 336, 427, 379, 504 and 506/34 of the Indian Penal Code, pending in the court of the S.D.J.M., Biraul.

The accusation is that on 10.05.2016 at about 10.30 P.M., informant returned to his house from election campaigning, as he was one of the candidates of Panchayat Election 2016. In the meantime, one Asha Devi along with her supporters variously armed with weapons come to the informant and told the informant to withdraw his nomination from Panchayat Election,

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when informant made protest then petitioner No.1 Nageshwar Yadav caused injury through farsa on the head of the informant and Petitioner No.2 Phulo Yadav caused injury through iron rod on the head of Ramdas Devi, sister-in-law of the informant, whereas petitioner No.3 Deonarayan Yadav caused injury through iron rod to brother of the informant and other accused persons, named in the F.I.R., also caused injury to the informant and his other family members.

On the other hand, learned A.P.P. opposed the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against the petitioners to caused injury to the informant, his sister-in-law and brother of the informant.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trail Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court

(Rajendra Kumar Mishra, J)

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