

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17454 of 2017

Arising out of P.S. Case No. - 326 Year - 2016 Thana - NAUTAN District - WESTCHAMPARAN
(BETTIAH)

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1. Vijay Yadav, S/o Heera Yadav,
 2. Vyas Yadav @ Byas Yadav, S/o Heera Yadav,
 3. Naween Yadav @ Naveen Yadav, S/o Nagina Yadav, All resident of
Village - South Telhua, Kanta Tola, P.S. - Nautan, Dist. - West
Champanan

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate

For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-04-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

For land dispute, there is specific allegation against
the petitioner no. 1 Vijay Yadav to have caused injury with farsa
at the head of the informant. Allegation against other petitioners is
general and omnibus of commission of assault.

Submission of the petitioners is that the Doctor has
found simple head injury caused by hard and blunt substance.
There is case and counter case also.



Considering the facts that petitioner no. 1 Vijay Yadav had knowledge that his act might cause death, I am not inclined to enlarge him on anticipatory bail.

Hence, prayer for bail of the petitioner no. 1 is refused.

Let petitioner no. 2 Vyas Yadav @ Byas Yadav and petitioner no. 3 Naween Yadav @ Naveen Yadav, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/successor Court in connection with Nautan Police Station Case No. 326 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner nos. 2 and 3 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner nos. 2 and 3.

(Birendra Kumar, J)

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