

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33400 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -SONBERSA District- SAHARSA

- =====
1. Raben Yadav @ Arbind Yadav, son of Raghunandan Yadav
 2. Lakhindra Yadav, son of Rajkishor Yadav
 3. Ram Kumar Yadav, son of Bechan Yadav
- All are residents of village - Arshi, P.S.- Sonbarsa Raj, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sonbarsa Raj (Kash Nagar O.P.) P.S. Case No. 155 of 2016 instituted for the offence under Sections 147, 148, 149, 323, 308, 436, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties. The instant case is counter blast of Sonbarsa Raj P.S. Case No. 154 of 2016 in which the informant along with her husband and Wakil Yadav are named accused. There is land dispute between the parties.

The allegation against petitioner No. 1 is of assaulting



the husband of the informant with lathi on his head. Petitioner No. 2 is alleged to have assaulted the informant with Socker pipe and there is general and omnibus allegation against petitioner No.3.

The injury report of the informant has been enclosed as Annexure-3 wherein the Doctor has found simple injury on his person.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Sonbarsa Raj (Kash Nagar O.P.) P.S. Case No. 155 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 438 (2) 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.

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(Sanjay Priya, J)

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