

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47412 of 2017

Arising Out of PS.Case No. -35 Year- 2013 Thana -HAYAGHAT District- DARBHANGA

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1. Devendra Yadav, S/o Late Ramji Yadav,
2. Rajesh Yadav, S/o Mahendra Yadav,
3. Amresh Yadav @ Amresh Kumar Yadav, S/o Devendra Yadav,
4. Rakesh Yadav @ Rakesh Kumar, S/o Devendra Yadav,
5. Ganesh Yadav, S/o Upendra Yadav,
6. Mahesh Yadav, S/o Sri Pitambar Yadav,
7. Upendra Yadav, S/o Late Ramji Yadav,

All are resident of Village- Badhwa, P.S.- Hayaghat, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are seeking anticipatory bail in connection with Hayaghat P.S. Case No.35 of 2013 registered for offences punishable under Sections 143, 341, 323, 324, 376/511, 307, 448, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that during the investigation the police has not found a case under Sections 307 and 354 of the Indian Penal Code. Learned counsel further submits that in fact the entire family members have been



falsely implicated in the present case. Both the parties are related to each other and are next-door neighbours. Therefore, with the intervention of the well-wishers, now good sense has prevailed and they have decided to settle their dispute for which a joint compromise petition was also signed and the same has been filed which has been duly noticed by the learned Sessions Judge, Darbhanga in the impugned order.

On the other hand, learned APP for the State opposed the prayer for anticipatory bail and submits that there are specific allegations and in case a compromise has been entered into and police has not found a case under Sections 307 and 354 of the Indian Penal Code, the same may be brought to the notice of the learned court below for purpose of regular bail.

This Court having perused the materials available on the record is not inclined to grant anticipatory bail to the petitioners, but in case the petitioners surrender in the court below within a period of four weeks from today and pray for regular bail the same shall be considered by the court below taking note of the entire developments including the investigation report and the materials collected by the police as also the claim of the petitioners that the matter has been settled and shall pass an appropriate order on the bail application of the petitioners in



accordance with law.

The application is disposed of with the above-said observations.

(Rajeev Ranjan Prasad, J)

Arvind/-

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