

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26865 of 2017

Arising Out of PS.Case No. -211 Year- 2016 Thana -GOGRI District- KHAGARIA

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1. Chulloh Yadav Son of- Late Babulal Yadav
2. Pintu Yadav Son of- Chulloh Yadav
3. Sintu Yadav Son of- Chulloh Yadav
4. Anita Devi Wife of- Mannu Yadav All Residents of Village- Paura, P.S.-
Paura O.P. (Gogri), District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 07-08-2017

Heard learned counsel for the petitioners and the State.

The prayer for anticipatory bail of petitioner No. 1 namely,
has already been permitted to be withdrawn vide order dated 28-06-
2017.

So far as the petitioner Nos. 2, 3 & 4 are concerned; they
apprehend arrest in Gogri P.S. Case No. 211 of 2016 instituted for the
offence under Sections-353, 506 of the Indian Penal Code.

It has been submitted that there is case and counter case
between the parties on account of land dispute. It is alleged that the
devar of the informant, namely, Chandan Yadav was assaulted by
spade. It has been submitted that petitioner No. 1 has got registered
Gogri (Paura) P.S. Case No. 201 of 2016 against husband of the
informant, in which, petitioner No. 1 sustained injury over the head,



due to assault, made by Anil Yadav husband of the informant, Reena Devi.

Counsel for the petitioners has submitted that the injury found on the person of the injured in the instant case, is simple in nature. One of the injury, found on the person of Chandan Kumar Yadav is said to be grievous, on the left index finger which is not the vital part of the body.

C.D. has been received.

The learned APP after perusing the injury report, submits the similar fact.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 2, 3 & 4 named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Gogri (Paura) P.S. Case No. 211 of 2016 to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner Nos. 2, 3 & 4 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 petitioner Nos. 2, 3 &



4 and (3) if petitioner Nos. 2, 3 & 4 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 petitioner Nos. 2, 3 & 4.

(Sanjay Priya, J)

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