

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25388 of 2017

Arising Out of PS.Case No. -33 Year- 2016 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

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1. Mukhlal Yadav, son of Late Rajbali Yadav
2. Jhapsi Yadav, son of Late Rajbali Yadav
3. Jaglal Yadav, son of Late Rajbali Yadav
4. Santosh Yadav, son of Jaglal Yadav
5. Vikash Yadav, son of Lalan Yadav
6. Basdeo Yadav, son of Lalan Yadav

All resident of village Kailash Nagar, Police Station Bagaha (Pathkhauli),
District West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Surendra Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 07-07-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor representing the State
of Bihar.

This application, for grant of anticipatory bail,
arises out of Piprasi Police Station Case No. 33 of 2016,
disclosing offences under Sections 147, 341, 323, 427, 447,
307, 504 and 506 of the Indian Penal Code.

The informant and the petitioners are co-
villagers. The allegation is that when the informant was
objecting to the accused persons, who were allowing their
cattle to graze in the field of the informant, the accused



persons assaulted him variously. The allegation against petitioner no. 6 is of making assault on the informant's head with lathi. There is allegation against petitioner nos. 2 and 5 of making assault with lathies. The injuries caused by these three petitioners have been found to be grievous.

Learned Counsel for the petitioners has submitted, as is apparent from the First Information Report, that it is because of the petty dispute between the parties that the occurrence took place. There is no specific role alleged against petitioner nos. 1, 3 and 4. He has also submitted that since there is no chance of the petitioners being absconding from the course of investigation and they do not have any criminal antecedent, no purpose would be served if they are taken into custody.

Considering the facts and circumstances of the case, this application is allowed.

Let the petitioners, namely, Mukhlal Yadav, Jhansi Yadav, Jaglal Yadav, Santosh Yadav, Vikash Yadav and Basdeo Yadav, in the event of their arrest or surrender before the Court below within six weeks, 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 Additional Chief Judicial Magistrate, Bagaha, in connection with Piprasi Police Station Case No.



33 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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