

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 58714 of 2018

Arising Out of PS. Case No.-199 Year-2018 Thana- Begusarai Muffasil District- Begusarai

1. Deepak Yadav,
 2. Pappu Yadav, both sons of Upendra Yadav @ O.P. Yadav,
 3. Harendra Yadav, Son of Jagdish Yadav,
- All residents of Village- Masti Fatehpur, P.S - Muffasil (Lakho O.P.), District- Begusarai.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Manoj Kumar Singh
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2018 Heard Sri Manoj Kumar Singh, learned counsel for the petitioners and Sri Sanjay Kumar Tiwary-I, learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in Mufasil (Lakho O.P.) P.S. Case No. 199 of 2018 registered for offence under Sections 147, 148, 149, 323, 341, 307, 504, 379, 427, 452 of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners submits that so far as petitioner no. 3 (Harendra Yadav) is concerned, there is allegation of giving assault, regarding petitioner no. 2 (Pappu Yadav), there is general & omnibus allegation and with regard



to petitioner no. 1 (Deepak Yadav), he has been arrayed as accused, as if, he was involved in taking away ornaments and cash from the house of the informant. Learned counsel for the petitioners has drawn my attention to Annexure –2 to the petition i.e. photocopy of F.I.R., vide Muffasil (Lakho O.P.) P.S. Case No. 195 of 2018, dated 20-04-2018 registered for offence under Sections 341, 342, 323, 307/34 of the Indian Penal Code, in which, father of petitioner no. 1 & 2 is the informant and his *fardbeyan* was recorded in P.M.C.H., Patna. According to learned counsel for the petitioners, the informant has falsely lodged the present case. Besides this, it has been argued that though, Section 307 of the Indian Penal Code has been incorporated in the F.I.R., the injury report does not corroborate the allegation.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail.

However, considering the fact that from the petitioners' side, earlier F.I.R. was lodged, in which, informant of the present case was one of the accused as well as nature of accusation, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid three petitioners namely (i) Deepak Yadav, (ii) Pappu Yadav and (iii) Harendra



Yadav be enlarged on 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, Begusarai in connection with Muffasil (Lakho O.P.) P.S. Case No. 199 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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