

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16606 of 2018

Arising Out of PS.Case No. -438 Year- 2017 Thana -BAHERA District- DARBHANGA

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1. Jagdish Yadav, S/o Late Bhokar Yadav.
2. Vimal Devi @ Vimla Devi, Wife of Jagdish Yadav,
3. Sushila Kumari @ Sushila Devi, Daughter of Jagdish Yadav.
Resident of Village-Akhloom, P.S.-Bahera, District-Darbhanga
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Bahera P.S. Case No.438 of 2017 for allegedly having committed the offence under Sections 341, 323, 504, 324, 114, 354, 379, 326 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that admittedly, there was scuffle between the parties in which both sides sustained injuries.

Learned counsel for the informant, however, submits that the injury caused to the informant side has been found to be grievous in nature and, therefore, the petitioners should not be extended the privilege of anticipatory bail.



Learned counsel for the petitioners has responded to the said submissions and stated that only petitioner Jagdish Yadav has sustained serious injury and has been treated upon by the Doctor at the Primary Health Centre, Benipur. He thus submits that since both the parties have indulged in *Marpit* and injuries have been inflicted on both sides and the petitioners are having clean antecedents, they may be extended the privilege of anticipatory bail.

Having considered the entire facts and circumstances of the case and upon consideration of the materials, which have come on record, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Additional Chief Judicial Magistrate, Benipur, District-Darbhanga, in connection with Bahera P.S. Case No.438 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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