

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24096 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Dinesh Kumar @ Dinesh Yadav, S/o Bino Yadav,
2. Paro Yadav @ Parbash Yadav, S/o Bhaiji Yadav,
3. Abran Yadav @ Abren Yadav, S/o Chano Yadav,
4. Tuni Yadav @ Tuni Kumar, S/o Bino Yadav, All residents of Village-
Barahsingha, P.S.- Saur Bazar (Patarghat O.P.), District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2018 The petitioners are apprehending their arrest in connection with Sour Bazar P.S. Case No. 182 of 2017, registered for offences punishable under Sections 147, 148, 149, 307, 323, 354, 341, 504 and 506 of the Indian Penal Code .

Allegation against the petitioner nos. 1 and 3 is of assaulting the informant by lathi and against petitioner no. 2 is of trying to outrage the modesty of one of the lady members of the family of the informant, namely, Soni kumari and allegation against petitioner no. 4 is of assault by Farsa to Dilip Yadav brother of informant.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties and both sides



have received injuries and all the injuries caused to the side of informant was found to be simple in nature and only one injury that has been caused to brother of informant was found to be grievous in nature, which has been attributed to petitioner no. 4.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts and circumstances and nature the nature of injury inflicted by petitioner no. 4 to brother of informant, I am not inclined to grant privilege of anticipatory bail to the petitioner no. 4 rather he shall surrender within four weeks before the court below and pray for regular bail, which will be consider by the court below on the merit of this case.

So far other petitioners i.e. petitioner nos. 1, 2 and 3, are concerned, they in the event of their arrest of surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No. 182 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition



that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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