

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6141 of 2018

Arising Out of PS.Case No. -41 Year- 2017 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Bharat Yadav, son of Late Mukhdeo Yadav
2. Jagmohan Yadav son of Late Mukhdeo Yadav
3. Manjeet Yadav son of Bharat Yadav
4. Rajbali Yadav son of Bharat Yadav
5. Mahendra Yadav son of Bhuali Yadav
6. Rajesh Yadav son of Bedar Yadav
7. Shiv Yadav son of Bedar Yadav
8. Ram Prasad Yadav son of Bedar Yadav All are Resident of Village-
Bairiya, P.S.- Sahodara, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

==

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Md. Arif

=====

==

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-02-2018 Heard learned counsel for the petitioners and learned counsel for
the State.

In this case, petitioners are seeking anticipatory bail in connection with Sahodara P.S. Case No. 41 of 2017, registered for the offence punishable under Sections-147, 148, 149, 341, 342, 323, 324, 325, 307 & 506 of the Indian Penal Code.

Allegation has been made that accused persons have participated in assaulting the victim.

Counsel for petitioners submits that no specific allegation has been made against them as well as order of learned Sessions Judge does not



disclose that any vital part of the victim has received injury. It has also been submitted that there is no criminal history but he has fairly brought to the notice of this court at paragraph-3 that the petitioner Nos. 1, 2, 7, & 8 are accused in Sahodara P. S. Case No. 232 of 2013 for offence under Sections-302/34 of the Indian Penal Code and petitione Nos. 1, 3, 7 & 8 are accused in Manpur P.S. Case No. 5 of 2017 for the offence under Sections-147, 149, 341, 323, 380, 448, 385, 504 and 427 of the Indian Penal Code but there is no criminal history with respect to petitioner Nos. 4, 5 & 6.

Looking into facts and circumstances of the case, let petitioner Nos. 4, 5 & 6 namely, Rajbali Yadav, Mahendera Yadav and Rajesh Yadav be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah in connection with Sahodara P.S. Case No. 41 of 2017, subject to the conditions as laid down under Section-438(2) of the Code of Criminal Procedure.

So far as rest petitioners i.e. petitioner Nos. 1, 2, 3, 7 & 8 are concerned; their prayer for anticipatory bail is rejected.

They are directed to surrender in the court below within four weeks from the date of receipt of copy of this order and seek regular bail which will be considered by the court below on its own merit without being prejudiced by this order.

(Shivaji Pandey, J)

A.K.V./-

U		T	
---	--	---	--

