

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34737 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- MUFFASIL District- Aurangabad

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1. Dukhi Yadav, Son of Nathun Yadav,
 2. Parwati Devi @ Kamla Devi, Wife of Dukhi Yadav,
 3. Mukhiya Yadav @ Mukhiya Sahib, Son of Nathun Yadav,
 4. Gudia Devi, Wife of Mukhiya Yadav,
 5. Subhash Kumar @ Shubham Kumar, Son of Dukhi Yadav,
 6. Nathun Yadav, son of Late Bisheshwar Yadav, all resident of Village- Karhara Bigha, P.S.- Raghupur, P.S.- Muffasil, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 02-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in **Mufasil P.S. Case No.47 of 2018** instituted for the offence under Section(s) 341, 323, 379, 504/34 of the Indian Penal Code and Section 3/4 Dyne Act.

Learned counsel for the petitioners has submitted that both parties are gotiya. There is land dispute between the parties. There is general and omnibus allegation against all these petitioners that they called the informant as witch and also assaulted her. Petitioner no.1 is said to have thrashed the



informant on the ground and assaulted her. Learned counsel for petitioner has submitted that injury on the person of the informant is found to be simple in nature.

The case diary has been received. Learned APP after looking into the injury report of the informant which is available at para 27 of the case diary submitted that only abrasion and bruise was found on the person of the informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Mufasil P.S. Case No.47 of 2018**, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Aurangabad** subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper



with the evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of bail of
the petitioners.

(Sanjay Priya, J)

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