

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57208 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- SAHODARA District- West Champaran

1. Umesh Yadav,
2. Mahesh Yadav, Both are son of Dhruv Yadav, R/o Village- Mandiha, P.S.- Sahodara, District- West Champaran.
3. Guddu Yadav, Son of Late Radha Yadav, R/o Village- Pipra, P.S.- Sahodara, District- West Champaran.
4. Dhamu Yadav, S/o Rajendra Yadav, R/o More Beluea, P.S.- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh
For the Opposite Party/s	:	Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-12-2018 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Sahodara P.S. Case No. 09 of 2018 dated 17.02.2018 instituted for the offences under Sections 147, 148, 341, 323, 324, 325, 308 and 379 of the Indian Penal Code.

While the informant along with his father was coming with some cash for making payment to the labourers, the petitioners are alleged to have assaulted them by means of hard and blunt substance. Three persons are said to have been injured in the occurrence and some of the injuries have been opined to be grievous in nature.



Learned counsel appearing for the petitioners has submitted that prior to the lodging of the present case, a case was lodged from the petitioners' side against the informant of the present case which has been numbered as Sahodara P.S. Case No. 06 of 2018.

It has further been submitted that the parties are on litigating terms and there are other cases also between them. However regard being had to the fact that three of the persons have received grievous injuries, I am not inclined to grant anticipatory bail to the petitioners.

The prayer for anticipatory bail is rejected.

However, if the petitioners surrender before the court below and seek regular bail within a period of four weeks the court below shall take into account the past enmity between the parties, the earlier case lodged by the petitioners' side against the informant of this case and the other facts which can be construed in favour of the petitioners and shall pass orders in accordance with law, without being prejudiced by the fact that the present anticipatory bail petition has been rejected.

(Ashutosh Kumar, J)

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