

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62114 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN
=====

Rabindra Yadav, S/o Saheb Yadav, R/o Village- Juafar, P.S.- Bhagwanpur,
District- Siwan.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

with

Criminal Miscellaneous No.1590 of 2018

Arising Out of PS.Case No. -119 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN
=====

1. Satendra Yadav, Son of Nawab Yadav,
2. Nawab Yadav, Son of Mukurdhun Yadav
Both Resident of Village-Juafar, P.S. Bhagwanpur, District-Siwan.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :
(In Cr.Misc. No.62114 of 2017)
For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.
(In Cr.Misc. No.1590 of 2018)
For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.
For the Opposite Party/s : Mr. Sri Rana Randhir Singh, A.P.P.
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Bhagwanpur**
P.S. Case No. 119 of 2017 instituted for the offence under
Sections 147, 148, 149, 323, 307, 302 and 504 of the Indian Penal



Code.

Learned counsel for the petitioners has submitted that there is allegation in the written report that fifteen persons assaulted the informant including his brother Sakaldeo Yadav, Munshi Yadav and his wife on account of which all of them have sustained injury. It is alleged that Sakaldeo Yadav was taken to Hospital where he died during course of treatment.

Case diary has been received.

The post mortem report of deceased Sakaldeo Yadav is available in paragraph 49 of the case diary wherein the Doctor has found one injury on skull fracture of frontal bone. Besides the aforesaid post mortem report, there is no injury report of any injured who have sustained injury during assault as mentioned in the *Fard-beyan*. It is alleged that total 15 persons including the petitioners assaulted the informant and his family members, but only one injury has been found in the post-mortem report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bhagwanpur P.S. Case No. 119 of 2017**, 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 learned **Additional Chief Judicial Magistrate-II, Siwan**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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)

S.Ali/-

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

