

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5254 of 2018

Arising Out of PS.Case No. -155 Year- 2017 Thana -MANJHI District- SARAN

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1. Rinku Yadav, S/o Late Badri Yadav
2. Pintu Yadav, S/o Late Badri Yadav
3. Jitendra Yadav, S/o Late Badri Yadav
4. Sailendra Yadav, S/o Late Badri Yadav
5. Bihari Yadav, S/o Rama Sankar Yadav, All resident of Village-Chainpur, P.S.- Manjhi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-02-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Manjhi PS case no. 155 of 2017 registered for the offences punishable under Section 307 and other sections of Indian Penal Code.

The case of the prosecution is that the daughter of the informant was grazing buffaloes in the field of the accused side when the accused persons are stated to have arrived there and caught hold of the hand of the daughter of the informant and are said to have taken her away and had torn her clothes. When the



informant arrived at the said place, the accused persons assaulted the informant and others with *lathi, danda* etc. resulting in injuries on the persons of the prosecution side. There is specific allegation of assault and tearing the clothes of the daughter of the informant on the petitioners no. 2 and 3 namely Pintu Yadav and Jitendra Yadav.

At this juncture, the learned counsel for the petitioners seek to withdraw the anticipatory bail petition of petitioners no. 2 and 3 in order to surrender before the Court below within four weeks from today and pray for grant of regular bail.

Accordingly, the anticipatory bail application of petitioners no. 2 and 3 is disposed of as withdrawn.

Now, coming to the rest of the petitioners i.e. petitioners no. 1, 4 and 5, it is the case of the prosecution that there is no specific allegation of any overt act as against them and the present case is an outcome of the earlier case filed by them.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case since they were objecting to the daughter of the informant grazing the buffaloes in their field. It is further submitted that the



petitioners no. 4 and 5 are said to be having clean antecedents.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, petitioners no. 1, 4 and 5, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Saran at Chapra in connection with Manjhi PS case no. 155 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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