

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43293 of 2018

Arising Out of PS. Case No.-188 Year-2017 Thana- NARDIGANJ District- Nawada

1. Shiv Balak Yadav @ Shibalak Yadav son of late Dukhi Yadav
 2. Rambilash Yadav son of late Dukhi Yadav
 3. Shivnandan Yadav, son of late Dukhi Yadav
 4. Dinesh Yadav
 5. Amresh Yadav @ Amresh Kumar both sons of Shiv Balak Yadav @ Shibalak Yadav
 6. Satish Kumar @ Satish Yadav, son of Rambilash Yadav
 7. Mahesh Kumar,
 8. Nitish Kumar both sons of Shivnandan Yadav
- All are residents of village Kesauriya P.S. Nardiganj, Dist. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Nardiganj P.S. case no. 188 of 2017 instituted for the offence under Section(s) 147,148,149, 341, 323, 324, 307, 379, 386, 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioners has submitted that in the FIR there is no any specific allegation of assault against any of the accused persons. There is allegation that all the accused persons arrived and assaulted the informant causing injury to



him.

The case diary has been received wherein the injury report of the informant is available wherein it is mentioned that three injuries has been found on the person of the informant. Out of which two injuries on the left forearm were found to be grievous and one injury on the temporal region was found to be simple in nature caused by hard and blunt substance.

Learned counsel for the petitioners has submitted that compromise has also taken place between the parties. Compromise petition has also been filed in the Court below. Certified copy of the compromise petition filed in the Court below has been produced during hearing of bail petition. It is also submitted that counter case has also been filed by petitioner no.1 vide Nardiganj P.S. case no. 189 of 2017 against the informant and others.

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 Nardiganj P.S. case no. 188 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 the



ACJM VI, Nawada, 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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