

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.478 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -BASNAHI District- SAHARSA

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1. Shatrughan Yadav, S/o Jhakan Yadav,
 2. Ramchandra Yadav S/o Jhakan Yadav,
 3. Bharat Yadav S/o Jhakan Yadav,
 4. Jhakan Yadav S/o Late Bachchi Yadav, all r/o Village- Purvi Balaitha,
P.S.- Basnahi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 06-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Basnahi P.S.**

Case No.43 of 2017 instituted for the offence under Section(s)
147, 148, 149, 341, 323, 324, 307, 379 Indian Penal Code.

Counsel for the petitioners has submitted that there has been free fight between the parties on account of land dispute. There is case and counter case between the parties. Runa Devi, wife of petitioner, Jhakan Yadav, has filed Basnahi P.S. Case No.44 of 2017 against the husband of the informant of this case and others. In that case, Bharat Yadav, Shatrughan Yadav and Jhakan Yadav sustained injuries and they have been examined by the doctors. Their injury reports have been annexed as Annexure-4 series. In the instant case, Punam Kumari, Prakash



Yadav and Bindi Yadav have sustained injuries and injury reports of these persons have been annexed as Annexure-3 series. Injuries are found to be simple in nature.

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 **Basnahi P.S. Case No.43 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 **Additional Chief Judicial Magistrate, IV, Saharsa**, 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 bonds 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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