

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41646 of 2018

- =====
1. Yogendra Yadav, son of Tilak Yadav, resident of village- Deodat Bigha, P.S.- Kurtha, District- Arwal,
 2. Ravi Kumar, son of Uday Yadav,
 3. Bimali Devi, wife of Uday Yadav, both residents of Village- Sewati Tola Neem Bigha, P.S.- Makhdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 18-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Makhdumpur P.S. Case No.128 of 2018** instituted for the offence under Section(s) 448, 341, 323, 307, 379, 504/34 Indian Penal Code.

It has been submitted that informant and co-accused Ram Pravesh Yadav are full brother. There is dispute due to partition of land between them. There is case and counter case between the parties. Counter case has been filed by father of petitioner No.2 against the informant and others vide Makhdumpur P.S. Case No.176 of 2018 in which he has sustained fracture injury.

In the written report, it is alleged that co-accused



Ram Pravesh Yadav assaulted the informant's daughter (Sabita Devi) with *Khanti* on her head. It is alleged that petitioner No.1 assaulted the informant on his waist and hand. Petitioner No.3 is alleged to have assaulted with *Pasuli* on the left hand of informant's daughter (Sabita Devi). There is no allegation of assault against petitioner No.2.

Injury report of the injured has been enclosed as Anenxure-2 series. The Sessions Judge has mentioned in the impugned order that all the injuries are 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 **Makhdumpur P.S. Case No.128 of 2018**, 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 **Sub-Divisional Judicial Magistrate, Jehanabad**, 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.

JA/-

(Sanjay Priya, J)

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