

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20031 of 2017

Arising Out of PS.Case No. -1673 Year- 2015 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

=====

1. Mahanand Yadav, son of late Jogi Yadav.
2. Sadanand Yadav @ Sadhu Yadav, Son of Badri Yadav.
3. Manoj Yadav, Son of Late Upendra Yadav.
All resident of village- Bhirkhi, Ward No. 22, P.S. Madhepura, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Devi, W/o- Sadanand Yadav @ Sadhu Yadav, resident of village- Bhirkhi, Ward No. 22, P.S. Madhepura, District Madhepura, Original Place of the husband Dauri, Bharua Ward No. 9, P.S. Rajviraj, District- Saptari (Nepal).

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 15-01-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Complaint Case No. 1673 of 2015** instituted for the offence under Sections 341, 342, 323, 354, 354B, 364, 379, 504 and 506/34 of the Indian Penal Code.

It has been submitted that petitioner No. 2 who is husband of the complainant, is already in custody. Therefore, his prayer for anticipatory bail is not pressed.

Accordingly, the application filed on behalf of



petitioner No. 2 is dismissed as not pressed.

It has been submitted that petitioner Nos. 1 and 3 are distant relation of husband of the informant. It has further been submitted that son has given statement under Section 202 Cr. P.C. and has not levelled any specific allegation of overt act against the petitioners.

From the written report it appears that case has been filed on behalf of the complainant on account of matrimonial dispute.

The other co-accused namely Radheshyam Yadav has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 09.11.2017 passed in Cr. Misc. 52761 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 1 and 3 namely, Mahanand Yadav and Manoj Yadav is allowed. In the event of surrender/arrest of the petitioner Nos. 1 and 3, named above, within six weeks from today, in connection with **Complaint Case No. 1673 of 2015**, 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, Madhepura**, 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	
---	--	---	--

