

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30489 of 2018

Arising Out of PS. Case No.-62 Year-2017 Thana- BITHAN BAZAR District- Samastipur

1. Mayaram Yadav.
2. B.P. Yadav @ V.P. Yadav @ Vipin Kumar
3. Arvind Yadav

All are Sons of Ram Badan Yadav, R/o Village-Sihama,
P.S.- Bithan, District- Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with G.R. No.450 of 2017, arising out of
Bithan P.S. Case No.62 of 2017, registered for the offence
punishable under Sections 341, 323, 307, 354(A), 379, 504 and
506/34 of the Indian Penal Code.

There is a dispute between both the sides with respect
to construction of the house. Allegation has been made that
these petitioners have prevented the informant from
constructing the house inasmuch as petitioner no.3 has assaulted
on the head of the informant by *khanti*, when she fell down on



the ground they have assaulted with fist and leg and tried to make naked. It has further been alleged that petitioner no.1 has caused injury to the mother-in-law of the informant and allegation has been made against the petitioner no.2 to have taken away the golden locket.

There is specific allegation against the petitioner nos. 1 and 3. No specific allegation has been made against petitioner no.2.

Looking to the entire facts and circumstances of the case, let the petitioner no.2, namely, B.P. Yadav @ V.P. Yadav @ Vipin Kumar, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Rosera, District- Samastipur, in connection with G.R. No.450 of 2017, arising out of Bithan P.S. Case No.62 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner no.2 for the purposes of investigation and interrogation, he will remain present. In the event of being absent on two consecutive dates



without reasonable explanation, this order will be treated to
have been cancelled.

So far the bail of petitioner nos. 1 and 3 is concerned,
the same is rejected.

(Shivaji Pandey, J)

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