

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61311 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -KODHOBARI District- KISANGANJ

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1. Manoj Kumar Yadav @ Manoj Yadav @ Manoj, Son of Shobha Lal Yadav,
 2. Krishna Prasad Yadav, Son of Shobha Lal Yadav,
 3. Mahesh Lal Yadav, Son of Shobha Lal Yadav,
 4. Kanhaiya Lal Yadav @ Kanhaiya Yadav, Son of Shobha Lal Yadav,
 5. Bahadur Sah, Son of Peru Sah, All are resident of Village- Durgapur, Police Station- Kodhobari in the district of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar
Mr. Vijay Kumar
For the State : Mr. Tarkeshwar Nath Thakur
For the Informant : Mr. Ram Prawesh Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 29-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Kodhobari P.S. Case No. 13 of 2017 registered for the offence punishable under Sections 323, 324, 307, 504/34 of the Indian Penal Code.

The allegation against the petitioner no. 1 herein is assaulting her wife resulting in her receiving grievous injury. It is further alleged that the other accused persons had also assaulted the wife of the petitioner no. 1.

The learned counsel for the petitioners submits that a



general and omnibus allegation has been levelled against the petitioners herein as well as other accused persons. It is further submitted that at best the allegation of assault so levelled can be said to be made out as against the petitioner no. 1 who is husband of the informant. However, the rest of the petitioners may be granted bail.

The learned counsel for the informant has appeared and vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I find that there is a general and omnibus allegation as far as the petitioners no. 2 to 5 are concerned. However, petitioner no. 1 who is the husband of the informant, is stated to have grievously assaulted the informant.

In such view of the matter, I deem it fit and proper to admit the petitioners no. 2 to 5 herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Kishanganj in connection with Kodhobari P.S. Case No. 13 of 2017 subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

As far as the prayer of petitioner no. 1 is concerned, his
prayer for anticipatory bail is rejected.

(Mohit Kumar Shah, J)

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