

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36552 of 2018

Arising Out of PS. Case No.-538 Year-2017 Thana- RAJAUN District- Banka

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1. JANGLA YADAV @ JANGAL KUMAR
 2. Sonu Kumar
Both sons of Subhash Yadav
 3. Lukho Devi wife of Gunjan Yadav, D/o Subhash Yadav
All are residents of Village Khaira, P.S. Rajaun and District - Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv.
For the Opposite Party/s : Md. Sufiyan, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being brothers and sister of the husband of the informant, are apprehending arrest in a case registered for the offences punishable under Sections 307/323/341/498A/504/506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 28.10.2017 submitted by the informant Soni Devi to the Station House Officer, Rajaun Police Station, to the effect that the informant was married with co-accused Dubba Yadav. When her uncle Laddu Yadav came to the in-laws house of the



informant, she narrated how she was being tortured, when Subhash Yadav, father-in-law of the informant started abusing her uncle and asked him to take the informant from the matrimonial house. It is alleged that six accused persons, including the petitioners, assaulted the informant and her uncle.

It is submitted by learned counsel for the petitioners that maliciously the entire in-laws family has been implicated in the present case. The accusation of assault is omnibus and general. Moreover, the thrust of accusation is against the husband of the informant, who has been granted bail by a co-ordinate Bench of this Court vide order dated 07.05.2017, passed in Criminal Miscellaneous No.28114 of 2018. However, a statement has been made in paragraph no.9 of the petitioner that no injury report has been brought on record. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR with accusation of assault.

Considering the fact that the accusation has not been corroborated by the medical opinion, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named



petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Banka, in connection with Rajaun P.S. Case No.538/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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