

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36565 of 2018

Arising Out of PS. Case No.-131 Year-2016 Thana- KUSHESHWARSTHAN District-
Darbhanga

-
1. Ram Kashi Yadav, S/o Budhan Yadav,
2. Ganga Yadav S/o Ram Kashi Yadav, Both are R/o Vill.-
Gaurdaur, P.S.- Kusheshwar Asthan, District- Darbhanga
... Petitioners

Versus

The State of Bihar

... Opposite Parties

Appearance :

For the Petitioners : Mr. Ranjit Kumar Yadav, Adv.

For the Opposite Parties : Mr. Gauri Shankar Gupta, APP 95

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection
with Kusheshwar Asthan P.S. Case No. 131 of 2016 instituted
for the offence under Sections 341, 323, 447, 324, 307, 354(3),
379 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that petitioner no. 1 is own brother and petitioner no. 2 is
cousin of the informant. There is land dispute between the
parties. The good feeling has been restored between the
parties and compromise petition has also been filed in the
Court below, which is annexed as Annexure 2. learned counsel
for the petitioners submits that the injury is said to be simple
in nature. It is also submitted that Jibachi Devi has filed a



counter case against the informant as C.R. No. 150 of 2016.

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 **Kusheshwar Asthan P.S. Case No. 131 of 2016** they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Darbhanga**, subject to the conditions as laid down under Section 438(2) Criminal Procedure Code 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.

(Sanjay Priya, J)

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