

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44287 of 2018**

Arising Out of PS.Case No. -116 Year- 2018 Thana -BANKA District- BANKA

=====

1. Brahmdeo Yadav,
2. Bishundeo Yadav,
3. Ramdeo Yadav,

All are sons of Late Baij Nath Yadav,

4. Babli Devi, W/o Brahmdeo Yadav,
5. Rambha Devi, W/o Bishundeo Yadav,
6. Nandbala Devi, W/o Ramdeo Yadav,
7. Kushmi Devi, W/o Gurudeo Yadav,

All are R/o Vill.- Kaithpura, P.S.- Barahat, District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anand Kumar Singh, Advocate  
Mr. Dharmendra Kumar, Advocate.

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      09-08-2018                      It has been submitted that petitioner No.2 namely Bishundeo Yadav has already been arrested. Therefore, his prayer for anticipatory bail has become infructuous.

The prayer for anticipatory bail of petitioner No.2 is dismissed as withdrawn.

Heard learned counsel for the petitioners and the State.

The petitioner Nos.1, 3, 4, 5, 6 and 7 apprehend their arrest in **Banka (Barahat) P.S. Case No.116 of 2018** instituted for the offence under Sections 341, 323, 324, 325, 307, 354(B),



379, 504 and 506/34 of the Indian Penal Code.

In the written report there is allegation against the petitioners of assaulting wife of the informant with iron rod causing injury on her head.

Case diary has been received.

The injury report of wife of the informant is available in the case diary wherein the Doctor has found only single blow on the head of wife of the informant which was found to be simple in nature.

There is general and omnibus allegation against the petitioner Nos. 1, 3, 4, 5, 6 and 7.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos.1, 3, 4, 5, 6 and 7 are allowed. In the event of surrender/arrest of the petitioner Nos.1, 3, 4, 5, 6 and 7, named above, within six weeks from today, in connection **Banka (Barahat) P.S. Case No.116 of 2018**, 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 **Chief Judicial Magistrate, Banka**, 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) petitioner Nos.1, 3, 4, 5, 6 and 7 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 petitioner Nos.1, 3, 4, 5, 6 and 7 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 petitioner Nos.1, 3, 4, 5, 6 and 7.

**(Sanjay Priya, J)**

S.Ali/-  
Rohit Kr.

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

