

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3691 of 2019

Arising Out of PS. Case No.-14 Year-2016 Thana- BAUNSI District- Banka

1. Shambhu Yadav, son of Late Chourasi Yadav, Resident of Village- Bishanpur, P.O.- Bur-Bhuri, P.S.- Bounsi, District- Banka.
2. Ayodhi Yadav, son of Late Chourasi Yadav, Resident of Village- Bishanpur, P.O.- Bur-Bhuri, P.S.- Bounsi, District- Banka.
3. Ajit Kumar @ Ajit Yadav, son of Shambhu Yadav Resident of Village- Bishanpur, P.O.- Bur-Bhuri, P.S.- Bounsi, District- Banka.
4. Bhavish Kumar @ Bhavesh Yadav, son of Shambhu Yadav Resident of Village- Bishanpur, P.O.- Bur-Bhuri, P.S.- Bounsi, District- Banka.
5. Ram Prasad Yadav, son of Ayodhi Yadav Resident of Village- Bishanpur, P.O.- Bur-Bhuri, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-01-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bounsi Police Station Case No. 14 of 2016, disclosing offences under Sections 341/323/324/308/504/506/34 of the Indian Penal Code.

The informant is the full brother of petitioner no. 1, who is said to have assaulted him with *tangi* (hatchet), a sharp cutting weapon.

Learned Counsel for the petitioners submits that it was because of small dispute in the family that the occurrence had taken place. Referring to the injury report, which has been



brought on record by way of Annexure-2 to this application, he contends that the case of the prosecution stands belied since not only that the injury has been found to be caused by hard and blunt substance, the same has been found to be simple in nature.

Considering the above submission and the nature of accusation, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Banka, in connection with Bounsi Police Station Case No. 14 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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