

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.816 of 2019

Arising Out of PS. Case No.-406 Year-2018 Thana- AMARPUR District- Banka

1. Bipin Yadav, S/o Mishar Yadav,
2. Laxmi Devi, W/o Bipin Yadav
3. Indu Devi, W/o Nawal Yadav
All are resident of Village – Dhannichak, Police Station – Amarpur,
District – Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Amarpur P.S. Case No.406 of 2018,
registered for the offence punishable under Sections 147, 148,
149, 447, 341, 323, 324, 307, 379, 337, 427, 504 and 506.

Allegation has been made that altercation has taken
place on account of raising ridge in the agricultural field.
Further allegation made against petitioner no.1 is to have
assaulted with sped causing injury to the informant.

Learned counsel for the petitioner submit that
petitioners are family members having only omnibus allegation.

Looking to the entire facts and circumstances of the
case as well as the fact that petitioner nos. 2 and 3 who are



ladies, let the petitioner nos. 2 and 3, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case no.406 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

So far, prayer of anticipatory bail of petitioner no.1 is concerned, I am not inclined to grant privilege of anticipatory bail to him. The prayer of petitioner no.1 for anticipatory bail is rejected.

However, if the petitioner surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court, if possible on the same day.

(Shivaji Pandey, J)

Aks/
S. Katyayan

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