

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8086 of 2019

Arising Out of PS. Case No.-331 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

1. NAND LAL YADAV @ NAND LAL RAI S/o Late Shri Niwas Yadav resident of Village- Jamira
2. Mahesh Yadav @ Mahesh Rai S/o Late Amik Yadav resident of Village- Jamira
3. Sanjay Yadav @ Sanjay Rai S/oRamyesh Yadav @ Ramyag Rai resident of Village- Jamira
4. Ramyash Yadav @ Ramyag Rai S/o Late Nagina Yadav resident of Village- Jamira
5. Binod Yadav @ Binod Rai S/o Late Dinanath Yadav resident of Village- Jamira

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2019 The learned counsel for the petitioners submits that petitioner No.1, Nand Lal Yadav @ Nand Lal Rai has already been arrested.

In this view of the fact, the prayer for anticipatory bail of petitioner No.1 is dismissed as has become infructuous.

Heard both sides.

The petitioners apprehend their arrest in Ara (M) P.S. case No. 331 of 2018 registered under Section 147, 148, 149, 341, 323, 333, 353, 504, 506 of the Indian Penal Code.

The informant, A.S.I. of Ara (M) P.S., alleged that he



got information that petitioners are assaulting the wife of Sahendra Prasad and when he informant reached there and tried to pacify the matter, the accused persons, Ramyash Yadav & others, entered into scuffle with the police officials and they bent upon to assault the police officials.

The learned counsel for the petitioners submits that the occurrence took place due to the fact that son of Sahendra Prasad dashed an old lady by his bicycle for which some verbal altercation took place. Wife of Sahendra Prasad lodged Ara (M) P.S. case No. 334 of 2018. No offence under Section 307 of the IPC is made out. The A.S.I. who had come on the spot also lodged the case only because some verbal altercation took place between the petitioners and police officials, who took partisan attitude and favoured the side of Sahendra Prasad. The petitioners have already been granted anticipatory bail in Ara (M) P.S. case No. 334 of 2018.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners No. 2, 3, 4 and 5, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Ara (M) P.S. Case No. 331/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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