

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17820 of 2019

Arising Out of PS. Case No.-168 Year-2018 Thana- MUFFASIL District- Aurangabad

1. AJAY YADAV Son of Ram Chandra Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
2. Ram Prasad Yadav Son of Kailash Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
3. Sineshwar Yadav @ Sigashwar Yadav Son of Jagdish Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
4. Krit Narayan Yadav @ Kriti Narayan Yadav Son of Babulal Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
5. Lalu Yadav Son of Sabilakh Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
6. Sipahi Yadav Son of Sabilakh Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
7. Dhaneshwar Yadav @ Chandeshwar Yadav Son of Late Jagdish Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)
8. Satyendra Yadav Son of Raghubansh Yadav R/o village- Bahuara, P.S.- Mufassil, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-07-2019 Heard learned Counsel for the petitioner no. 3, 4 and 8
and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 168 of 2018, disclosing offences under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.



The allegation against the petitioners is that the petitioners, along with other co-accused persons, assaulted the informant and his family members by means of lathi, danda, khanti, garasa, causing injuries to six persons from the side of the informant.

Learned Counsel for the petitioners submits that there is case and counter case inasmuch as the side of petitioners have also lodged Mufassil Police Station Case No. 167 of 2018 for the occurrence which has taken place on the same day. He further submits that there is, admittedly, land dispute between the parties and both the parties are co-villagers. He further submits that injuries caused to the informant and his family members are simple in nature, caused by hard and blunt substance, except one injury caused to Gopal Yadav, the opinion of which has been reserved by the doctor.

After having heard learned Counsel for the parties and taking into consideration the fact that both the parties are co-villagers having previous land dispute and there is case and counter case, I am inclined to grant petitioners privilege of anticipatory bail. Accordingly, this application, so far as petitioner nos. 3, 4 and 8 are concerned, is allowed.

Let the petitioner nos. 3, 4 and 8, above named, in the



event of their arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Aurangabad, in connection with Mufassil Police Station Case No. 168 of 2018, 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.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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