

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17840 of 2019

Arising Out of PS. Case No.-173 Year-2018 Thana- RAGHUNATHPUR District- Siwan

1. Shiv Belash Yadav @ Shiv Bilash Yadav, aged about 41 years, Male, Son of Manji Yadav.
2. Ram Belash Yadav, aged about 45 years, Male, Son of Manji Yadav.
3. Manji Yadav, aged about 65 years, Male, S/o Late Phuleshwar Yadav.
4. Binod Yadav, aged about 35 years, Male, S/o Manji Yadav.
5. Binay Yadav @ Vinay Kumar Yadav, aged about 18 years, Male, Son of Ram Belash Yadav.

All are Resident of Village-Bhusi Tola, P.S-Raghunathpur Dist.-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 29-03-2019 The petitioners seek bail in anticipation of their arrest in connection with Raghunathpur P.S. Case No. 173 of 2018, dated 01.10.2018, instituted for the offences under Sections 447, 323, 307 and 504/34 of the Indian Penal Code.



Though the petitioners are said to have assaulted the prosecution party, but the injuries suffered by three of the victims are stated to be simple in nature. There is a counter version of the occurrence also which has been lodged at the instance of one Ramesh Yadav and which case is Raghunathpur P.S. Case No. 172 of 2018.

It has been submitted on behalf of the petitioners that they are the agnates of the informant and the victims and because of the land dispute as well as the mortgage of the land in question, the petitioners have been implicated in this case.

Though the F.I.R. was lodged on the day of the alleged occurrence, but the endorsement of the learned Chief Judicial Magistrate is after 25 days and there is no explanation with respect to such delayed endorsement by the Judicial Officer.

Considering the background facts and the circumstances under which the assault took place, the petitioners 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 the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Siwan, in connection with Raghunathpur P.S. Case No. 173 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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