

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17340 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- ASANWA District- Siwan

1. Jitendra Yadav, Son of Babulal Yadav, Resident of Village- Dudhhi, Police Station- Asaon, District- Siwan.
2. Satyendra Yadav @ Satyendra Kr. Yadav, Son of Babulal Yadav. Resident of Village- Dudhhi, Police Station- Asaon, District- Siwan.
3. Babulal Yadav, son of Late Sukhdeo Yadav, Resident of Village- Dudhhi, Police Station- Asaon, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the State.

The petitioners are apprehending their arrest in connection with Asaon P.S. Case No.91 of 2018 registered for the offences punishable under Sections 341, 323, 447, 354, 379, 504, 506, 34 of the Indian Penal Code.

Prosecution case as per the written report of Rajmuni Devi submitted to S.H.O. Asaon P.S. is to the effect that on 12.08.2018 at about 9:00 A.M., the agnates of informant, namely, Jitendra Yadav, Satyendra Yadav and Bablu Yadav (the petitioners) started abusing the informant and her daughter, namely, Janki Kumari and Sunita Devi. On protest being made, all the accused persons assaulted her and her daughter, Sunita Devi by fists, leg and stick. On alarm



being raised, when the informant's son Upendra Yadav and informant's husband, Heera Lal Yadav came to rescue them, then they were also assaulted by the petitioners. It is further alleged that Satyendra Yadav snatched a gold chain from the neck of Sunita Devi.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled against the petitioners. It is further submitted that no injury has been caused to anyone and general and omnibus nature of accusation has been made against the petitioners. It is further submitted that there is a counter case being Asaon P.S. Case No.90 of 2018 lodged by the wife of the petitioner no.1, Vidai Devi. It is further submitted that the petitioners are not having any criminal antecedent, statement to that effect has been made in paragraph no.3 of the bail application.

Learned A.P.P. for the States submits the accusation of assault is specific against the petitioners.

Considering the general and omnibus nature of accusation, there being a counter case filed from the petitioner's side coupled with the fact that the petitioners are not having any criminal antecedent, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail



on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Asaon P.S. Case No.91 of 2018.

(Dinesh Kumar Singh, J)

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