

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22482 of 2019

Arising Out of PS. Case No.-184 Year-2018 Thana- CHIRAIYA District- East Champaran

1. Binod Prasad Yadav @ Binod Yadav, Son of Late Ramanand Rai Resident of Village - Katkuiya, P.S.- Chiraiya, District- East Champaran
2. Manoj Prasad Yadav, Son of Late Ramanand Rai Resident of Village - Katkuiya, P.S.- Chiraiya, District- East Champaran
3. Sanjay Prasad Yadav @ Sanjay Kumar Yadav, Son of Late Jhingan Yadav Resident of Village - Katkuiya, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-04-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 353, 304, 504, 308 and 506/34 of the IPC.

The prosecution case, as per the written report of Shajiya Kaifi, being the Child Development Project Officer, Chiraiya dated 28.05.2018, submitted to the Station House Officer, Chiraiya Police Station, is to the effect that as per the direction of the District Magistrate, East Champaran, Motihari, on 28.05.2018 at about 3.30 P.M., the informant went to village



Katkuiya to attend the meeting of Aam Sabha to complete the process of selection of Sewika/Sahayika. It is alleged that during the meeting, petitioner nos. 1 and 3, Binod Prasad Yadav and Sanjay Prasad Yadav, respectively and co-accused Sanjay Prasad Yadav snatched the papers of selection process and threw the same. Thereafter, again the meeting was convened, then the petitioner no.1 and 2, Binod Prasad Yadav and Manoj Prasad Yadav pressurized the informant to select Kiran Devi on the post of Sewika and on protest being made, the accused persons threw the chair on the informant and other accused persons started abusing and scuffling with the informant, as a result, the informant could not discharge her official duty.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against all the accused persons. In fact, the petitioners were protesting against illegal selection being made by the informant. It is further submitted that the informant received superficial simple injury. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation and the fact that



the informant has received superficial simple injury, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM, Dhaka, East Champaran at Dhaka in connection with Chiraiya P.S. Case No. 184 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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