

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25717 of 2019

Arising Out of PS. Case No.-496 Year-2018 Thana- BIHIA District- Bhojpur

1. TILSHWAR KUMAR SINGH @ TILSHWAR YADAV Son of Shishupal Yadav, Resident of Village- Samardah, P.S.- Bihiya, District- Bhojpur.
2. Shishupal Yadav, S/O Late Ramnath Yadav, Resident of Village- Samardah, P.S.- Bihiya, District- Bhojpur.
3. Raj Kumari Devi, W/O Shishupal Yadav, Resident of Village- Samardah, P.S.- Bihiya, District- Bhojpur.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-06-2019 This application, for grant of anticipatory bail, arises out of Bihiya P.S. Case No. 496 of 2018, disclosing offences under Sections 143, 341, 323, 325, 307, 504, 506 of the Indian Penal Code.

Allegation against the petitioner no. 1 is of assault to the informant on his head by means of spade causing injury to him and allegation and allegation against petitioner no. 2 and 3 is of assault by lathi and danda.

Submission of learned counsel for the petitioners is that there is not specific allegation so far petitioner nos 2 and 3 are concerned and further all the petitioners have falsely been implicated in this case due to land dispute. However, learned



counsel for the petitioners fairly conceded that one of the injuries was found on the head of the informant.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 1 is concerned, I am not inclined to grant him the privilege of anticipatory bail, he may surrender before the court below and pray for regular bail, which will be disposed of by the court below on the merit of the case.

So far other petitioners i.e. petitioner nos. 2 and 3 are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Bihiya P.S. Case No. 496 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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