

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23656 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- BABUBARHI District- Madhubani

1. Binod Yadav @ Binod Kumar Yadav Son of Lakshman Yadav
 2. Binit Yadav Son of Lakshman Yadav
 3. Bharat Yadav Son of Khakhan Yadav
 4. Ranjit Yadav @ Ranjit Kumar Yadav Son of Parikshan Yadav
- All are residents of Village Bhanpur, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Babubarhi P.S. Case No.85 of 2018)
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307, 354(B), 379 and 504 of the Indian
Penal Code and Section 27 of Arms Act.

Allegation has been made that when the informant
was erecting a hut within her boundary line, accused persons
including the present petitioners came and obstructed her and
when the son of the informant protested the action of the



accused persons, then on the order of co-accused, Ram Kumar Yadav, Anil and Ramchandra resorted to fire which hit the informant and his grand-son and when the daughter-in-law of the informant came to rescue them, then co-accused Sushil Kumar Yadav snatched her Mangal Sutra of Rs. 16,000/-.

Learned counsel for the petitioners submits that there is no specific allegation made against the petitioners, save and except they are members of mob. Specific allegation of firing has made against co-accused Anil and Ramchandra. It is urged that several accused persons have already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 08.03.2019 passed in Cr. Misc. No.14318 of 2019.

Looking to the entire facts and circumstances of the case, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate III, Madhubani, District Madhubani, in connection with Babubarhi P.S. Case No.85 of 2018 subject to the condition as laid down under Section 438(2) of the Code of Criminal



Procedure with a further condition that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan/-

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