

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23746 of 2019**

Arising Out of PS. Case No.-41 Year-2018 Thana- BAUNSI District- Banka
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1. Chameli Devi, aged about 25 years, female, Wife of Rajesh Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
2. Matto Yadav @ Mate Yadav, aged about 70 years, male, Son of Late Mouje Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
3. Anupi Yadav @ Anupi Devi, aged about 65 years, male, Son of late Maouje Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
4. Rajesh Yadav, aged about 40 years, male, Son of Matto Yadav @ Mate Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
5. Sipo Yadav, aged about 22 years, male, Son of Matto Yadav @ Mate Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
6. Rupo Yadav @ Rupesh Yadav, aged about 24 years, Son of Matto Yadav @ Mate Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.
7. Suman Yadav, aged about 20 years, male, Son of Anupi Yadav Resident of Village - Tetaria, P.S.- Baunsi, Distt - Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Dhananjay Kumar Pandey, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 341, 323, 379, 308, 504 and 506 of the Indian Penal Code registered in connection with Bounsi P.S. Case No. 41 of 2018.

3. It is submitted that the petitioners have been falsely



implicated in the backdrop of land dispute and there is case and counter case between the parties. The parties are *gotiya*. The accusations of assault are general and omnibus without any specific assaulted attributed individually. The injuries resulting from the assault alleged against the petitioners are simple in nature. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 41 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors of each of the petitioners shall be their close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner no. 1 shall be well represented



in Court on each and every date during trial except as and when directed by the learned Court to be physically present and the petitioner nos. 2 to 7 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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