

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25040 of 2019

Arising Out of PS. Case No.-92 Year-2017 Thana- BISFI District- Madhubani

1. CHANDAR YADAV, aged about 50 years (Male), Son of Late Babulal Yadav Resident of Village - Balat, P.S.- Rahika, District -Madhubani.
2. Radhey Shyam Yadav, aged about 30 years (Male), Son of Uttim Yadav Resident of Village - Balat, P.S.- Rahika, District -Madhubani.
3. Hare Ram Yadav, aged about 30 years (Male), Son of Chandar Yadav Resident of Village - Balat, P.S.- Rahika, District -Madhubani.
4. Bachan Yadav, aged about 50 years (Male), Son of Late Babulal Yadav Resident of Village - Balat, P.S.- Rahika, District -Madhubani.
5. Ram Sevak Yadav, aged about 40 years (Male), Son of Mukeshwar Yadav Resident of Village - Balat, P.S.- Rahika, District -Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioners and the learned counsel appearing for the State.

Petitioners apprehend arrest in connection with Bisfi P.S. Case No. 92 of 2017 registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the petitioners have been implicated in this case due to dirty village politics. Perusal of the injury report (Annexure-2) shows that the injuries sustained by the



informant are simple in nature, whereas the allegation in the first information report is of giving farsa blow. After investigation, police did not submit charge sheet against the petitioners under section 307 and 379 of the Indian Penal Code. As a matter of fact, for the minor altercation between the informant and petitioner no. 1, all the petitioners who are his family members have been implicated in this case. Petitioners are men of clean antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail made on behalf of petitioner nos. 1 and 2 and submits that there is specific allegation against these two petitioners. It is, therefore, submitted that they does not deserve to granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 3, 4 and 5, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 92 of 2017 subject to the conditions laid down under section



438(2) Cr.P.C.

So far as petitioner nos. 1 and 2 are concerned, considering the specific allegation attributed against them in the first information report, this Court is not inclined to grant them the privilege of anticipatory bail. Their prayer for bail is, therefore, rejected.

(Arvind Srivastava, J)

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