

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26458 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- MADHEPURA District- Madhepura

1. Sachen Yadav @ Sachendra Yadav, Son of Kinay Yadav, Resident of Village- Maheshua, P.S.- Madhepura, District- Madhepura
2. Sachita Yadav, Son of Kinay Yadav, Resident of Village- Maheshua, P.S.- Madhepura, District- Madhepura
3. Abhishek Kumar, Son of Sachen Yadav @ Sachendra Yadav, Resident of Village- Maheshua, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-07-2019 This is an application for grant of anticipatory bail in connection with Madhepura (Bharrathi O.P.) P.S. Case No.104 of 2019, disclosing offences under Sections 341, 323, 325, 307, 354(A), 379, 34 of IPC.

As per F.I.R. allegation against the petitioner no.1 is of assault by rod to the informant, causing injury on his head, petitioner no.2 assaulted the informant by iron rod on his hands and petitioner no.3 is not named in the F.I.R.

Submission of the learned counsel for the petitioners is that they are Gotias and the dispute arose with regard to construction of the house. There is case and counter case between the parties and both sides have received injuries.

Heard learned A.P.P. as well as learned counsel



appearing on behalf of the informant, also who has opposed the prayer for anticipatory bail on the ground that injury no. 1 was found to be fractured and that too on the head, however, conceded that other injuries are simple in nature.

Having heard both sides, in view of the facts and circumstances, as stated above, so far as, petitioner no.1 is concerned, I am not inclined to grant privilege of anticipatory bail to the petitioner no.1 and as such, same is dismissed.

So far as, other petitioners are concerned, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Bharrathi O.P.) P.S. Case No.104 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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