

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38988 of 2019**

Arising Out of PS. Case No.-7 Year-2019 Thana- NAUHATTA District- Saharsa

1. SINGHESHWAR YADAV @ SINHESHWAR YADAV Son of Musharu Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
2. Shankar Yadav Son of Ram Charitra Yadav @ Ram Chalitar Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
3. Pramod Yadav Son of Yogi Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
4. Janar Devi Wife of Yogendra Yadav @ Jogi Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
5. Sagar Yadav Son of Late Jitan Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
6. Yogendra Yadav @ Yogi Yadav Son of Late Domi Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
7. Musharu Yadav Son of Late Sukhay Yadav Resident of Village- Asaiy, P.S.- Nauhatta (Darhar O.P.), District- Saharsa.
8. Chandan Yadav Son of Shibu Yadav Resident of Village-Asaiy,P.S-Nauhatta (Darhar O.P), District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                |
|----------------------------|---|--------------------------------|
| For the Petitioner/s       | : | Mr.Binod Kumar Sinha, Advocate |
|                            |   | Mr. Ashok Kumar, Advocate      |
| For the Opposite Party/s : |   | Mr.Amarendra Prasad, APP       |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      20-09-2019                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Nauhatta (Darhar O.P.) P.S. Case No. 7 of 2019 registered for the offences punishable under



Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 354A, 435 of the Indian Penal Code.

Learned counsel for the petitioners submits that the informant alleged that the accused persons entered into his house, accused Singheshwar Yadav assaulted his wife by means of iron rod and her hasuli was snatched. There is allegation that Sagar Yadav (petitioner no. 5 ) gave farsa blow to the son of the informant and Chandan Yadav (petitioner no. 8) assaulted Prabhu Yadav the nephew by means of iron rod causing hurt on his right hand.

Learned counsel for the petitioners submits that general and omnibus allegations have been levelled against the petitioners.

Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case where the specific allegation of causing assault on vital part of the body is against petitioner no. 1 (Singheshwar Yadav), his prayer for anticipatory bail is rejected.

However, the petitioner no. 1 surrenders and prays for regular bail within a period of four weeks from today before the



learned court below the same shall be considered on its own merit on the basis of the materials available on the record without being prejudiced by the order of this Court.

So far as petitioners no. 3, 4 6 and 7 are concerned, there are general and omnibus allegation against them. Regarding petitioner no. 8 the allegation is that he had caused injury on the finger of Prabhu Yadav which has been found to be simple in nature.

Considering the omnibus and general nature of allegations, let the petitioners no. 3, 4, 6, 7 and 8, in case of their arrest or surrender within a period of four weeks from today in connection with Nauhatta (Darhar O.P.) P.S. Case No. 7 of 2019, be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of Sri amit Baibhav, Judicial Magistrate Ist Class, Saharsa, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

**(Rajeev Ranjan Prasad, J)**

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