

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37285 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- BISFI District- Madhubani

1. RANJEET YADAV Son of Chandeshwar Yadav Resident of village- Bhatra Ghat, P.S.- Bisfi, District- Madhubani.
2. Bharat Yadav Son of Chandeshwar Yadav Resident of Village- Bhatra Ghat, P.S.- Bisfi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha
For the State	:	Mr.Arun Kumar Singh
For the Informant	:	Mr. Jitendra Kumar Bharti

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-06-2019

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, 341, 323, 324, 307,379,504, 506 IPC and Section 3 and 4 of the Dian Act registered in connection with Bisfi P.S. Case No. 44 of 2019 (G.R. No.111 of 2019).

3. It is submitted that the petitioners have been falsely implicated and the parties are *gotia* and there is also land dispute between them. It is submitted that the injuries of the informant attributed by the assault of petitioner no. 1 is simple in nature, while the injury on the father-in-law of the informant attributed to the assault by petitioner no. 2 is said to be grievous in nature. The accusations under Section 379 IPC are mere embellishment. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the anticipatory bail petition.

5. Having regard to the grievous injury said to have sustained by reason of assault by petitioner no. 2, this Court is not



inclined to grant the privilege of anticipatory bail to the petitioner no. 2. The anticipatory bail petition as against petitioner no. 2 stands dismissed.

6. As regards petitioner no. 1, in the event of arrest or surrender by petitioner no. 1 before the court below within six weeks from the date of communication of this order, let the above named petitioner no. 1 be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Benipatti, District Madhubani, in connection with Bisfi P.S. Case No. 44 of 2019(G.R. No.111 of 2019), 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 shall be a close relative of the petitioner no 1.

ii. That the petitioner no. 1 shall not indulge in any similar offence till conclusion of the trial.

iii. That the petitioner no.1 shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

iv. The petitioner no. 1 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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