

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41352 of 2019

Arising Out of PS. Case No.-534 Year-2018 Thana- MUFFASIL District- West Champaran

1. Laldeo Yadav Son of Late Prahlad Yadav
 2. Bhikham Prasad Son of Late Chokat Prasad
 3. Rambilash Prasad @ Belas Raut Son of Surya Dev Prasad
 4. Sanjay Prasad Son of Bhikham Prasad
 5. Lalji Yadav Son of Late Bhadai Yadav
 6. Sattan Yadav Son of Bindeswari Yadav
 7. Munna Kumar Son of Maineger Prasad
- All are residents of Village-Bari Tola, P.S.-Mufassil (Bettiah), District-West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-07-2019 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bettiah Mufassil Police Station Case No. 534 of
2018, disclosing offences under Sections 147, 148, 149, 341,
323, 324, 332, 333, 307, 354(B) of the Indian Penal Code.

The allegation against the petitioners is that while
the informant was preparing to celebrate Moharram procession
and reached near the house of Lal Deo Yadav, petitioners along



with other accused persons, 33 in numbers, causing injury to the informant and other person from the side of prosecution.

Learned counsel for the petitioners submits that there is a case and counter case inasmuch as the petitioner no. 1 is informant in PS Case No. 515 of 2018 registered under Sections 147, 148, 148, 341, 342, 452, 323, 324, 325, 307, 379, 427 and 109 of Indian Penal Code.

Learned counsel for the petitioners submits that one person also got injury from the side of petitioners, whereas, two persons have got injury from the side of prosecution.

Learned counsel for the petitioners further submits that the cause of occurrence is due to Muharam procession. Due to the fact that the side of prosecution and the petitioner had some dispute with regard to Muharam procession.

Learned counsel for the petitioners submits that parties belong to the same village and the injuries caused to the informant side is simple in nature.

After having heard learned Counsel for the parties and taking in consideration the fact that parties belong to the same village and the injuries caused to the informant and other are simple in nature and there is case and counter case, this application is allowed.



Let the petitioners, namely, Laldeo Yadav, Bhikham Prasad, Rambilash Prasad @ Belas, Sanjay Prasad, Lalji Yadav, Sattan Yadav and Munna Kumar, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Muffasil Police Station Case No. 534 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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