

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44084 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- JAHANABAD District- Jehanabad

1. Ajay Yadav, Son of Ambika Yadav, Resident of Village- Musepur, P.S.- Jehanabad (Karauna O.P.), District- Jehanabad.
2. Ranju Devi, Wife of Umesh Yadav, Resident of Village- Musepur, P.S.- Jehanabad (Karauna O.P.), District- Jehanabad.
3. Sunil Yadav, Son of Late Nageshwar Yadav, Resident of Village- Musepur, P.S.- Jehanabad (Karauna O.P.), District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-09-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Jehanabad (Karauna) P.S. Case No. 183 of 2019 registered for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Although, learned counsel for the petitioners submits that it is a case of free fight between the parties in which both sides have indulged in assaulting each other for which a case and counter case has been lodged, learned A.P.P. for the State



has submitted that there is a specific allegation of assault against the petitioner no. 2 on one Gauri Devi and that assault has caused grievous injury as it appears from the injury report. So far as the other injuries are concerned, those are said to be simple in nature.

Considering the facts and circumstances of this case, wherein the allegation against the petitioner no. 2 is that of causing a grievous injury on one Gauri Devi, this Court is not inclined to grant privilege of anticipatory bail to petitioner no. 2. Her prayer for anticipatory bail is, thus, refused.

In case she surrenders and prays for regular bail within a period of four weeks from today, her prayer for regular bail shall be considered by the court below on the same day considering that she is a lady and the dispute has arisen over construction of house in which both the parties are said to have assaulted each other and in the said assault this petitioner is also said to have received injuries.

So far as petitioner nos. 1 and 3 are concerned, since the injuries attributed to them are found simple in nature, considering that there are allegations in this case that both the parties had indulged in causing injury to each other, let in the event of their arrest or surrender within a period of four weeks



from today, the petitioner nos. 1 and 3 abovenamed be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna) P. S. CAsE No. 183 of 2019, subject to the condition 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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