

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51177 of 2019

Arising Out of PS. Case No.-155 Year-2019 Thana- GHORASAHAN District- East
Champaran

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1. HARISHCHANDRA YADAV @ PATHLU RAI Son of Late Lakhichand Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 2. Chhathu Yadav S/o Late Lakhichand Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 3. Hari Rai @ Hari Yadav S/o Late Lakhichand Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 4. Kunti Devi W/o Harishchandra Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 5. Manju Devi W/o Chhathu Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 6. Nawal Kishore Rai @ Malahi Rai S/o Late Gyani Rai Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran
 7. Lalan Kumar @ Lallan Kumar Son of Harishchandra Yadav Resident of Village- Ghorasahandih (Pakari Tola), P.S.- Ghorasahan, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-08-2019

Heard learned counsel for the parties.

Petitioner No.2, namely, Chhathu Yadav, has been arrested during the pendency of this application as stated on behalf of the Petitioners.

This application to the extent it relates to petitioner No.2 stands dismissed as having become infructuous.

This application for anticipatory bail arises out of



Ghorasahan P.S. Case No. 155 of 2019 for the offence punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

There are 12 persons named in the First Information Report including members of the family. The informant and the accused are agnates. The dispute between them was apparently there in respect of joint family property.

Learned counsel appearing on behalf of the petitioners has submitted that there is a counter case for the same occurrence registered on the same day, giving rise to Ghorasahan P.S. Case No. 156 of 2019. He has also argued that the injuries have been found to be simple in nature.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, 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 the learned S.D.J.M., Sikrahana at Dhaka, East Champaran, in Ghorasahan P.S. Case No. 155 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners



shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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