

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53528 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- MAHARAJGANJ District- Siwan

1. YOGENDRA YADAV @ YOGONDRA YADAV Son of Radha Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
2. Rameshwar Yadav Son of Radha Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
3. Hiralal Yadav Son of Bairister Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
4. Garaju Yadav Son of Bairister Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
5. Dharmendra Yadav Son of Laljee Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
6. Lal Babu Yadav Son of Mahabir Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.
7. Achhay Lal Yadav Son of Rambilash Yadav Resident of Village- Harkeshpur, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Maharajganj P.S. Case No. 102 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

Allegation against the petitioners is that they have assaulted the informant and thereafter there is specific allegation against petitioner Nos. 3 and 5 that they have stabbed the



informant and petitioner No.2 has assaulted the informant by lathi.

Submission of learned counsel for the petitioners is that FIR itself shows that occurrence took place while fixing 'Khutta' in the spur of moment and impugned order disclosed that injury report was not available on the record and furthermore there is case and counter case between the parties and some accused persons have also received injuries.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail stating that impugned order shows that informant was under treatment at PMCH, as such injury report was not available at that time.

In view of above facts and circumstances, let petitioner Nos. 1, 2, 4, 6 & 7, in the event of arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-V, Siwan, in connection with Maharajganj P.S. Case No. 102 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having



sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner Nos. 3 and 5 are concerned, they may surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this Court.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

