

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57184 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- MADANPUR District- Aurangabad

1. Shankar Yadav Son of Late Banarsi Yadav Resident of Village - Baheri Khap, P.S.- Madanpur, Dist.- Aurangabad.
2. Mukesh Yadav Son of Sankar Yadav Resident of Village - Baheri Khap, P.S.- Madanpur, Dist.- Aurangabad.
3. Yugesh Kumar Son of Shankar Yadav Resident of Village - Baheri Khap, P.S.- Madanpur, Dist.- Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Leelawati Kumari
For the Opposite Party : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with **Madanpur P.S. Case No. 140 of 2019** instituted for the offence under Section(s) 341, 323, 504, 506 and 307/34 of the Indian Penal Code.

It is submitted by the petitioners' counsel that the informant and the petitioners are brothers and at loggerheads over their subsisting partition dispute. The medical opinion is in respect of



simple injury on account of assault attributed to the petitioner No.1. There is a case and counter case arising out of the same occurrence. The informant's side, who are accused in the counter version, have already been allowed bail.

Learned APP for the State has opposed the prayer by submitting that the allegations is under Sections 307/34 of the I.P.C. and other allied offences.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners before the court below, named above, within four (04) weeks from today, they shall be released on anticipatory 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 **Chief Judicial Magistrate, Aurangabad**, in connection with **Madanpur P.S. Case No. 140 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-



(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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