

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55909 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- PARBATTa District- Khagaria

1. JAGDISH YADAV, aged about 50 years, Male, Son of Late Kapil Yadav, Resident of Village-Yaduvansh Nagar, Bharatkhand, P.S.-Parbatta, District-Khagaria
2. Suma Devi, aged about 45 years, Female, Wife of Jagdish Yadav Resident of Village-Yaduvansh Nagar, Bharatkhand, P.S.-Parbatta, District-Khagaria

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 03-09-2019

The learned counsel for the petitioner submits to withdraw the prayer of pre-arrest bail so far petitioner no. 1, Jagdish Yadav, is concerned, as he has been taken into custody.

Prayer is allowed.

This application is dismissed as withdraw, so far petitioner no. 1, Jagdish Yadav, is concerned.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Parbatta (Bharatkhand) P.S. Case No. 126 of 2019 (G.R. No. 1047 of 2019) for the offences alleged under Sections 341, 323, 327, 307 and 504/34 of the Indian Penal Code.

The accusation is that petitioner no. 2, Suma Devi, and her husband Jagdish Yadav, in the morning of 22.04.2019 started to cause assault to informant, Asha Devi, and her daughter in which her daughter sustained head injury through sickle. At that time, Deepak Yadav and Nitesh Kumar were also present there.



The submission of the learned counsel for the petitioner is that petitioner no. 2, Suma Devi, is the gotni and pattedar of the informant and in quarrel Jagdish Yadav, husband of petitioner no. 2, caused injury to the daughter of the informant, which are simple in nature, but, with ulterior motive petitioner no. 2 has also been implicated in this case.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner no. 2, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Parbatta (Bharatkhand) P.S. Case No. 126 of 2019 (G.R. No. 1047 of 2019) shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, I, Khagaria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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