

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80208 of 2018

Arising Out of PS. Case No.-144 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. Rajnish Yadav and Anr S/o Suryadeo Yadav.
2. Jalusa Devi F, aged about 60 years, W/o Suryadeo Yadav. Both Resident of Village - Mataur, P.S.- Makhdumpur, Tehta, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Makhdumpur (Tehta O.P.) P.S. Case NO. 144 of 2018, disclosing offences under Sections 341,323,325,379,504 read with Section 34 of the Indian Penal Code.

Petitioner No.2 is mother of the petitioner No.1. It is alleged that the petitioners abused the informant and thrashed him on the ground leading to fracture in his right leg.

Learned counsel appearing on behalf of the petitioners has submitted that there is no injury report and in fact no injury was caused at all. He has also submitted that addition of Section 379 of the Indian Penal Code is ornamental in nature. I find substance in the submission advanced on behalf of the petitioners. 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 Additional Sessions Judge-II, Jehanabad in Makhdumpur (Tehta O.P.) P.S. Case No. 144 of 2018, 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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