

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60291 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. UMA SHANKAR YADAV Son of Late Saryug Yadav Resident of Mohalla- Mishrichak, Anathalaya Road, Nathnagar, P.S.- Nathnagar, District- Bhagalpur.
2. Sashi Kant Yadav Son of Late Saryug Yadav Resident of Mohalla- Mishrichak, Anathalaya Road, Nathnagar, P.S.- Nathnagar, District- Bhagalpur.
3. Anjana Devi Wife of Uma Shankar Yadav Resident of Mohalla- Mishrichak, Anathalaya Road, Nathnagar, P.S.- Nathnagar, District- Bhagalpur.
4. Bilash Yadav @ Vilash Yadav Son of Ghoghan Yadav Resident of Village- Rampur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.
5. Mala Devi Wife of Bilash Yadav @ Vilash Yadav Resident of Village- Rampur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.
6. Nitish Yadav Son of Bilash Yadav @ Vilash Yadav Resident of Village- Rampur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.
7. Abhishekh Kumar Yadav Son of Bilash Yadav @ Vilash Yadav Resident of Village- Rampur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-11-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nathnagar P.S. Case No. 149 of 2019, disclosing the offence under Sections 448, 341, 323, 324, 307, 354 (B), 379, 504, 506/34 of the Indian Penal Code.

It is alleged in the F.I.R that the petitioners, who are



admittedly neighbours of the informant, entered into the house of the informant and started abusing her for having complained against them before the police. There is allegation that they assaulted the informant's son and dragged her by pulling her hair. They were armed with pistol and other weapon. Against petitioner No.1 it is alleged that he gave farsa blow in the head of the informant's son and others assaulted with lathi, butt of pistol etc. They are also said to have snatched golden chain worth rupees forty thousand from the informant and cash Rs.5000/- from the informant's son.

Learned counsel appearing on behalf of the petitioners contends that the informant and the persons named in the F.I.R are closely related and there is dispute between them over part of a house because of which an occurrence of scuffle had taken place. Both sides have received injuries. A counter case has also been filed bearing Nathnagar P.S. Case No. 152 of 2019 for the same occurrence which had taken place on the same date and at the same time at the same place. He further contends that all the injuries have been found to be simple in nature.

Considering the background in which the occurrence is said to have taken place and the injuries have been found to be simple in nature, 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 bonds of Rs,10,000/- (ten thousand), each with two sureties of the like amount, each to the satisfaction of learned A.C.J.M. 1st Bhagalpur, in Nathnagar P.S. Case No. 149 of 2019, corresponding to G.R. No. 1144 of 2019 subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is the 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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