

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68508 of 2019

Arising Out of PS. Case No.-182 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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VYAS YADAV Son of Late Jagdambi Yadav Resident of Village- Shaligrami,
Police Station- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mrs.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-12-2019 Heard both sides.

The petitioner apprehends his arrest in Sahebpur Kamal P.S. case No. 182 of 2019 registered under Section 341, 323, 307, 34, 324 of the IPC.

The informant alleged that when he enquired about the names of two boys, who were standing on his Darwaja, Vyas Yadav, the petitioner, Prashant Kumar and Sushant Kumar indiscriminately assaulted him with Katta (a sharp edged weapon) on his head, hand and back. When his wife came to save the accused persons also assaulted her.

The learned counsel for the petitioner submits that the informant, Subodh Kumar Munna, is own brother of Vyas Yadav, the petitioner. There is counter version being Sahebpur



Kamal P.S. case No. 183 of 2019, which was registered on the basis of fard bayan of Prem Lata Devi, wife of Vyas Yadav. Some verbal altercation took place between two brothers and they engaged in mutual assault on each other. It is further submitted that informant, of course, got as many as three sharp cut injuries but all injuries are skin deep. The doctor kept the opinion regarding injury reserved but even after lapse of about six months the I.O. has not collected final injury report.

The learned APP, however, opposed the prayer for anticipatory bail.

It appears that petitioner and informant are own brothers. There is a case and counter case. The petitioner and his two sons are alleged to have assaulted the informant and his wife with Katta but all the three injuries found on the person of informant are skin deep. The wife of informant also got one injury, which is also simple in nature.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. case No. 182 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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