

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69122 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- DHURAIYA District- Banka

1. USHA DEVI Wife of Vijay Yadav Resident of Village - Jakha, P.S.- Dhoraiya, District- Banka
2. Vijay Yadav Son of Amika Yadav @ Amiklal Yadav Resident of Village - Jakha, P.S.- Dhoraiya, District- Banka
3. Abhisekh Yadav Son of Vijay Yadav Resident of Village - Jakha, P.S.- Dhoraiya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balram Kapri, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Dhoraiya P.S. Case No. 02 of 2019 registered under Sections 147, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is general and omnibus allegation against the petitioners, there is case and counter case between the parties and both the parties are closely related to each other.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.



Considering the facts and circumstances of the case wherein both the parties are closely related to each other. There seems to have taken a free-fight between the parties and both have assaulted each other which is evident from the injury report present at Annexure '2' and Annexure '4' of the present application and also that the injuries found on the body of the son of the informant is simple in nature and the petitioner no. 2 has also suffered head injury which is found from Annexure '4', let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Dhoraiya P.S. Case No. 02 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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