

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75588 of 2019**

Arising Out of PS. Case No.-332 Year-2019 Thana- NARPATGANJ District- Araria

1. Dhanbir Yadav, Son of Bisundeo Yadav
 2. Lalu Yadav, Son of Bisundeo Yadav
 3. Bisundeo Yadav, Son of Late Sukdeo Yadav
- Petitioner/s
- Versus
- The State of Bihar
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 26-11-2019 Heard learned counsel for the petitioners and learned
APP for State.

The petitioners in this case are seeking anticipatory bail in connection with Narpatganj P.S. Case No.332 of 2019 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute. Learned counsel submits that there is no specific allegation of assault against the petitioners.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.



Considering the facts and circumstances of the case wherein it appears from the records that there are specific allegations of assault by farsa, iron rod and lathi against petitioner nos.1 and 2 respectively, this Court is not inclined to grant anticipatory bail to petitioner nos.1 and 2. Their prayer for anticipatory bail is refused.

In case the petitioner nos.1 and 2 surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered on its own merit without being prejudiced by order of this Court.

So far as petitioner no.3 is concerned, learned counsel for the petitioners has submitted that although there are allegations of giving indiscriminate lathi blow against this petitioner, the injury report of Dinesh Yadav does not support that allegation.

Considering this aspect of the matter, let the petitioner no.3 Bisundeo Yadav in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No.332 of 2019, subject to the 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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