

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84896 of 2019

Arising Out of PS. Case No.-68 Year-2016 Thana- PIRPAINTI District- Bhagalpur

-
1. LALU YADAV @ LALU PRASAD YADAV S/O- Yugesh Yadav Resident of Village - Sabalpur, P.O. - Baraini, P.S.- Pirpainti, District - Bhagalpur.
 2. Laxman Yadav S/O- Deoki Yadav Resident of Village - Sabalpur, P.O. - Baraini, P.S.- Pirpainti, District - Bhagalpur.
 3. Deoki Yadav S/O- Late Ramgahan Yadav Resident of Village - Sabalpur, P.O. - Baraini, P.S.- Pirpainti, District - Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Pirpainti P.S. Case No. 68/2016 registered under Sections 447, 147, 148, 149, 323, 324, 307, 504, 506, 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is case and counter case by both the parties, informant has previous enmity with the petitioners in which petitioner had sustained head injury and there is no specific allegation of assault against these petitioners.

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 there is case and counter case by both the parties and Annexure '3' is the injury report of petitioner no. 2 which shows that he was assaulted by the informant side from which it is submitted that he was assaulted by the informant side and had sustained head injuries, there is no specific allegation of assault against any of these petitioners though there are general and omnibus allegations and the submission that till date the investigation against these petitioners are still pending and they had not been charge-sheeted, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners 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 A.C.J.M. - XI, Bhagalpur, in connection with Pirpanti P.S. Case No. 68/2016, 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)

Rajeev/-

U		T	
---	--	---	--

