

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4582 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- JADIA District- Supaul

1. Rambilash Yadav Son of Baijnath Yadav Resident of Village - Parwaha, P.S.-
Jadia, District - Supaul.
2. Pramanand Yadav Son of Late Govind Dayal Yadav Resident of Village -
Parwaha, P.S.- Jadia, District - Supaul.
3. Dulen Yadav Son of Late Govind Dayal Yadav Resident of Village -
Parwaha, P.S.- Jadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code.

The prosecution case as per the written report of Gajendra Yadav submitted before the Station House Officer, Jadiya, Police Station, is to the effect that on 28.08.2019 at about 11:00 A.M. while the informant was going to his house, in the meantime all the eight F.I.R. named accused person, including the petitioners came variously armed and surrounded



him and started assaulting indiscriminately. When other family members of the informant came to rescue, then co-accused Baijnath assaulted on his neck with a farsa. It is further alleged that co-accused Chandan Yadav assaulted on the head of Surendra Yadav with a tengari, whereas petitioner no. 2 Parmanand Yadav assaulted on the head of Diwakar with a Dabia. It is also alleged that co-accused Bablu Kumar snatched cash amount of Rs. 20,000/- from the pocket of the informant whereas petitioner No. 3, Dulen Yadav snatched a silver chain from the neck of the informant worth Rs. 5,000/-.

It is submitted that learned counsel for the petitioners that there is no specific accusation of assault against the petitioners except petitioner no. 2, but the injuries have been found simple in nature. In fact, the petitioners are the agnates of the informant and there is a counter version of the alleged occurrence being, Jaida P.S. Case No. 157 of 2019 registered by petitioner no. 1 Rambilas Yadav against the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the State submits that there is specific accusation against the petitioners.

Considering the fact that no grievous injury has been caused



to anyone, there being a counter version of the occurrence coupled with statement made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Supaul, in connection with Jadia Police Station Case No. 156 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Rahul/Gautam

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