

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10672 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- TRIVENIGANJ District- Supaul

1. SURENDRA YADAV S/o Late Satyanarayan Yadav Resident of Village- Barahkurwa (Barkurwa), Tola- Chatgaon, Ward No.10, P.S.- Triveniganj, Distt- Supaul
2. Jitendra Yadav @ Jitendra Kumar S/o Surendra Yadav Resident of Village- Barahkurwa (Barkurwa), Tola- Chatgaon, Ward No.10, P.S.- Triveniganj, Distt- Supaul
3. Bhupendra Yadav S/o Late Nandlal Yadav Resident of Village- Barahkurwa (Barkurwa), Tola- Chatgaon, Ward No.10, P.S.- Triveniganj, Distt- Supaul
4. Lalo Devi W/o Bhupendra Yadav Resident of Village- Barahkurwa (Barkurwa), Tola- Chatgaon, Ward No.10, P.S.- Triveniganj, Distt- Supaul
5. Sandeep Kumar @ Sandeep Yadav S/o Bhupendra Yadav Resident of Village- Barahkurwa (Barkurwa), Tola- Chatgaon, Ward No.10, P.S.- Triveniganj, Distt- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Adv.
For the Opposite Party/s : Smt.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 23-09-2020 Heard Mr. Madhav Jha, learned counsel for the petitioners and Smt. Rina Sinha, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend arrest in connection with Triveniganj PS Case No. 198/2019 registered for the offence punishable under Sections 147, 149, 341, 323, 325, 379 and 504 of the IPC.

3. The allegation against the petitioners as per First Information Report, is that the petitioners along with other



accused persons four in number entered into the house of informant and petitioner no. 1 assaulted mother-in-law of the informant by rod on her head. Petitioners no. 2, 3, and 4, assaulted the informant and others by means of Lathi, Phatta and bricks. Petitioner no. 5 assaulted father-in-law of the informant by means of rod on his waist.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case due to personal enmity. Learned counsel further submits that the dispute arose between the parties regarding grazing of crops by goat of the informant. Learned counsel next submits that both the parties are agnates and next door neighbours and all the injuries are simple in nature except the injury caused by petitioner no.1, Surendra Yadav upon mother-in-law of the informant which is grievous.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the parties are agnates and are next door neighbours and the injuries caused to the family members of the informant are simple in nature, I am inclined to grant anticipatory bail to the petitioners no. 2, 3, 4 and 5 except petitioner no.1, Surendra Yadav who has caused grievous injury on the head of the



mother-in-law of the informant. Accordingly, anticipatory bail application filed by petitioner no.1, Surendra Yadav is rejected and so far petitioners no. 2. Jitendra Yadav @ Jitendra Kumar, 3. Bhupendra Yadav, 4. Lalo Devi and petitioner no.5. Sandeep Kumar @ Sandeep are concerned, this application for anticipatory bail is allowed.

6. Accordingly, let the petitioners no. , 2. Jitendra Yadav @ Jitendra Kumar, 3. Bhupendra Yadav, 4. Lalo Devi and petitioner no.5. Sandeep Kumar @ Sandeep be released on bail, in the event of their arrest/surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Triveniganj PS Case No. 198/2019, subject to the condition as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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