

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8026 of 2020**

Arising Out of PS. Case No.-218 Year-2017 Thana- KISHUNPUR District- Supaul

1. SHATRUGHAN YADAV S/o Sonelal Yadav Resident of Village- Belhi, P.S.- Kishanpur, Distt- Supaul
2. Dashrath Yadav S/o Sonelal Yadav Resident of Village- Belhi, P.S.- Kishanpur, Distt- Supaul
3. Rita Devi W/o Dashrath Yadav Resident of Village- Belhi, P.S.- Kishanpur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nafisuzzoha  
For the Opposite Party/s : Mr. Pancha Nand Pandit

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      02-03-2020                      Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with Kishanpur P.S. Case No. 218 of 2017 for the offence under Sections 341, 323, 324, 354, 504, 506, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that allegation against petitioner no. 1 is that he has assaulted the mother of the informant by butt of pistol, but there is no corresponding injury.

So far as petitioner no. 2 is concerned, it is alleged that he has used danda as well as farsa in assaulting the injured.



There is no allegation of any overt act against petitioner no. 3

Considering the aforesaid, the Court is inclined to grant bail to petitioner no. 1 and 3, in the event of arrest or surrender within four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 2<sup>nd</sup> Supaul in connection with Kishanpur P.S. Case No. 218 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as petitioner no. 2, Dashrath Yadav is concerned, the Court is not inclined to grant bail and his prayer for anticipatory bail is rejected. However, rejection of the prayer will not cause prejudice, in the event of petitioner no. 2 surrenders before the Court below and prays for regular bail, the Court below shall decide the application for regular bail on its own merit and dispose the same on the same day.

**(Anil Kumar Upadhyay, J)**

Rishi Kumar/-

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