

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11958 of 2020

Arising Out of PS. Case No.-1022 Year-2019 Thana- MADHEPURA District- Madhepura

1. Anant Yadav Son of Late Bhubneshwari Yadav Resident of Village - Dinapatti Pararia, P.S.- Madhepura (Bharrahi O.P), Distt - Madhepura.
2. Sanjeev Yadav @ Sanjeev Kumar Son of Anant Yadav Resident of Village - Dinapatti Pararia, P.S.- Madhepura (Bharrahi O.P), Distt - Madhepura.
3. Ranjit Yadav @ Ranjit Kumar Son of Anant Yadav Resident of Village - Dinapatti Pararia, P.S.- Madhepura (Bharrahi O.P), Distt - Madhepura.
4. Ghanshyam Yadav @ Ghanshyam Kumar Son of Anant Yadav Resident of Village - Dinapatti Pararia, P.S.- Madhepura (Bharrahi O.P), Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vishoka Nand, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-06-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Madhepura (Bharrahi O.P) P.S. Case No.1022 of 2019 registered under sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated that the eight named accused persons including four petitioners herein came variously armed and while Ghanshyam Yadav is stated to have



assaulted the informant, Ranjit Yadav is stated to have assaulted Randeep Yadav. It is also alleged that all the accused persons assaulted the informant and others and also abused them.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the F.I.R. contained in Annexure-1 are false and concocted. There is a case and counter case between the parties and the correct version has been given in the F.I.R. (Annexure-2) lodged by Ramchandra Yadav, brother of the petitioner no.1. It is further submitted that the case diary had been called for and from perusal of the same it would transpire that the injury on Rajdeep Yadav has been opined to be simple in nature. So far as the injury report of informant-Umesh Yadav is concerned, opinion with respect to one of the injuries had been reserved but thereafter it has been stated that the said Umesh Yadav is not providing the C.T. scan or the relevant papers. The petitioners have no criminal antecedent .

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that there is a case and counter case between the parties, the nature of injury being simple and the petitioners having no criminal antecedent, this Court is inclined



to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Madhepura (Bharrahi O.P) P.S. Case No.1022 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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