

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14742 of 2020

Arising Out of PS. Case No.-542 Year-2019 Thana- MAJHAULIA District- West Champaran

1. RAMESH YADAV S/o Lt. Shivcharan Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
2. Jhagaru Yadav S/o Lt. Shivcharan Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
3. Yogendra Yadav S/o Lat. Shivcharan Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
4. Ranglal Yadav S/o Yogendra Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
5. Meghnath Yadav S/o Yogendra Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
6. Sujit Yadav S/o Jhagru Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
7. Leelavati Devi W/o Jhagaru Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
8. Gudia Devi W/o Ramesh Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.
9. Ritu Devi W/o Yogendra Yadav Resident of Village- Bakhariya, Pokhra Tola, Ward No.07, P.S.- Majholia, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kishore Thakur
For the Opposite Party/s	:	Ms.Renuka Ratnakar
For informant	:	Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-07-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and



the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Majholia PS case no. 542 of 2019 registered for the offences punishable under Sections 307 and other sections of Indian Penal Code.

The learned counsel for the petitioners, at the outset, submits that as far as petitioners no. 1, 2 and 5 are concerned, liberty be granted to them to surrender before the learned court below and seek regular bail.

As such, the present petition *qua* the petitioners no. 1, 2 and 5 stands dismissed as not pressed, however with liberty to them to surrender before the learned court below and seek regular bail.

The allegation in this case is regarding the accused persons having assaulted the prosecution party after arriving at the land of the informant and in the process, one Ashok Yadav and the informant are stated to have been grievously injured. It is alleged that the grievous injuries sustained by the members of the prosecution party are attributable to the petitioners no. 1, 2 and 5.

The learned counsel for the petitioners submits that as far as petitioners no. 3, 4 and 6 to 9 are concerned, a



general and omnibus allegation has been levelled as against them and moreover, they are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that as far as petitioners no. 7 to 9 are concerned, they are female accused persons and have got no role whatsoever to play in the alleged occurrence.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that specific allegations have been levelled against the petitioners no. 1, 2 and 5 of assaulting the injured persons causing grievous injuries to them and a general and omnibus allegation has been levelled as against the rest of the petitioners i.e. the petitioners no. 3, 4 and 6 to 9, apart from the fact that they are having a clean antecedent, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the petitioners no. 3, 4 and 6 to 9, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Bettiah, West Champaran in connection with
Majholia PS case no. 542 of 2019 subject to the conditions as
laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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