

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11661 of 2020

Arising Out of PS. Case No.-785 Year-2019 Thana- JAHANABAD District- Jehanabad

1. Binod Yadav Son of Bhagwan Yadav Resident of Village - Shiva Bigha, P.s.- Jehanabad, O.P. Kalpa, Dist.- Jehanabad.
2. Uday Yadav Son of Bhagwan Yadav Resident of Village - Shiva Bigha, P.s.- Jehanabad, O.P. Kalpa, Dist.- Jehanabad.
3. Vinay Yadav Son of Bhagwan Yadav Resident of Village - Shiva Bigha, P.s.- Jehanabad, O.P. Kalpa, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Sujata Sinha
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-07-2020 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in Jehanabad Kalpa P.S. Case No. 785 of 2019 registered for the offence under Section 307 and other allied sections of the Indian Penal Code.

In the F.I.R., the informant has alleged that petitioners alongwith four others abused and assaulted him. It has further been alleged that petitioner no. 3 (Vinay Yadav) assaulted on the informant's head by *khanti*.

It is submitted on behalf of petitioners that there is



general and omnibus allegation and except petitioner no. 3, there is no specific overt act against remaining two petitioners. Petitioners have clean antecedent.

Considering the aforesaid facts and circumstances, petitioner no. 1 and 2 are extended the privilege of anticipatory bail. So far as petitioner no. 3 Vinay Yadav is concerned, since there is specific allegation of giving *khanti* blow on the head of the informant, I am not inclined to grant bail to him.

In the event of arrest or surrender within a period of six weeks from today, let petitioner no. 1 and 2 namely Binod Yadav and Uday Yadav be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Kalpa) P.S. Case No. 785 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

The anticipatory bail application stands disposed of.

(Prabhat Kumar Singh, J.)

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