

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12310 of 2020**

Arising Out of PS. Case No.-89 Year-2019 Thana- KAJRA District- Lakhisarai

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1. Gango Yadav @ Ganga Yadav Snof Late Ram Yadav Resident of Village - Singhaul, P.S.- Kajra, Dist.- Lakhsiarai.
 2. Kusho Yadav @ Kusho Kumar Son of Gango Yadav @ Ganga Yadav Resident of Village - Singhaul, P.S.- Kajra, Dist.- Lakhsiarai.
 3. Sudhir Yadav Son of Late Lakhan Yadav Resident of Village - Singhaul, P.S.- Kajra, Dist.- Lakhsiarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 10-07-2020 Heard learned counsel for the petitioners and learned counsel for the State through video conferencing.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Kajra P.S. Case no. 89 of 2019 registered under sections 447, 341, 323, 379, 308, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that on seeing Buffalo in his agricultural field, he went to chase them away. At this time it is stated that the three petitioners abused him. The petitioner no. 3 put a towel around his neck, the petitioner no. 2 put a weapon on him and the petitioner no. 1 assaulted him with a lathi on his legs and head as a result of which he fell down injured. It is stated that they took away Rs. 5000/- from his pocket and threatened to kill him in case he lodged a case. It is further stated that he was treated at the Sadar Hospital, Lakhisarai.

It is submitted by learned counsel for the petitioners that



there is case and counter case between the parties and the correct version has been given in the FIR lodged by the petitioner no. 1 which is at Annexure 3 to the petition. It is further submitted that while the allegation in the FIR is of petitioner no. 1 having assaulted with a lathi on his legs and head, from the injury report of the informant which has been brought as Annexure 2 to the bail petition, the doctor at Sadar Hospital Lakhisarai found the injury on the head to be simple in nature. It is submitted that the petitioners have no criminal antecedent.

The application for bail is opposed by learned Additional PP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, submissions made on behalf of the petitioners together with the injury report of the informant at Annexure 2 to the petition, the Court is inclined to enlarge the petitioners on anticipatory 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 Kajra P.S. Case no. 89 of 2019 they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Lakhisarai subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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