

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18313 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- SINGHESHWAR District- Madhepura

1. BINDESHWARI YADAV @ BINDYESHWARI YADAV Son of Late Shanti Yadav Resident of Village- Patori, Ward No. 06 Tola Tahbala, P.S.- Singheshwar, District- Madhepura.
2. Ramchandra Yadav Son of Bindeshwari Yadav Resident of Village- Patori, Ward No. 06 Tola Tahbala, P.S.- Singheshwar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 341, 323, 324, 307, 379, 354(B), 427, 504 and 506 the Indian Penal Code.

Prosecution case in short, is that in the backdrop of trivial issue of grazing crop by she-goat of the accused, the altercation took place between the parties and in consequence thereof, the



accused persons having armed with lathi, iron-rod, dabiya assaulted the informant. It is further alleged that when the family members of the informant came to rescue him, they were also assaulted. Golden nose pin and ear rings of the informant's daughter-in-law were also alleged to have been snatched away by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on



anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 275 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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