

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22987 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- AMARPUR District- Banka

1. SUKAR YADAV S/o Late Chunchun Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
2. Ram Lakhan Yadav S/o Sukar Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
3. Uday Yadav S/o Late Chunchun Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
4. Kundan Yadav S/o Uday Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
5. Ram Watan Yadav @ Ram Jatan Yadav S/o Jai Karan Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
6. Rani Devi W/o Ram Pravesh @ Pappu Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
7. Lalita Devi W/o Jai Karan Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.
8. Bindu Devi W/o Umesh Yadav Resident of Village- Chhatahara, P.S.- Amarpur, Distt- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-09-2020 Heard Mr. Ajay Mukherjee, learned counsel for the petitioners and Mr. Pranav Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend arrest in connection with Amarpur P.S. Case No. 63 of 2020 registered for the



offences punishable under Sections 147, 148, 341, 323, 354, 379, 504 and 506 of the Indian Penal Code 1860.

The allegation against the petitioners as per the First Information Report is that quarrel had taken place between the children on 30.01.2020 and upon hearing the clamour of the children, the informant rushed towards her son who was assaulted by the petitioner No. 1. It is further alleged that when the informant came to rescue him, petitioner No. 1 also tried to outrage her modesty and other accused persons assaulted her and her other family members and snatched Rs.30,000/- from the pocket of Abhishek Yadav. Petitioner No.6 snatched away a golden chain from the neck of Lalita Devi wife of Prakash Yadav whereas petitioner Nos. 7 and 8 assaulted Raju Yadav.

Learned counsel for the petitioners submits that both the parties are neighbours and there is case and counter case between them. Learned counsel referring to Annexure-2 submits that Amarpur P.S. Case No. 62 of 2020 was lodged by Ram Lakhan Yadav (petitioner No. 2) against the informant and her family members registered under Section 307 and other allied Sections of the Indian Penal Code for



an incident which had taken place on the same date and time. Learned counsel further submits that the First Information Report lodged by the side of the petitioners is prior in time to the present First Information Report which has been lodged as a counter blast to the First Information Report lodged by the side of the petitioners. Learned counsel further submits that the allegations are ornamental in nature and no injuries have been caused to the informant and her other family members.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that both the parties are neighbours and incidents had taken place on trivial issue of quarrel between the children, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory 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, Banka, in



connection with Amarpur P.S. Case No. 63 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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