

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29540 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- AZIMABAD District- Bhojpur

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1. LALLU KUMAR @ LALLU YADAV S/o Jineshwar Yadav Resident of Village-Biga Milki, P.S.-Azimabad, District-Bhojpur.
 2. Shanti Devi W/o Jineshwar Yadav Resident of Village-Biga Milki, P.S.-Azimabad, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nihar Nandan Ambasta, Adv.
For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard Mr. Nihar Nandan Ambasta, learned counsel
for the petitioner and Mr. Vinod Shankar Modi, Additional
Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection
with Azimabad PS Case No. 04/2020 registered for the offence
punishable under Sections 341, 323, 307, 379, 504, 506/34 of
the Indian Penal Code.

3. The allegation, as per First Information Report, is
that petitioners along with other accused persons arrived at the
door of informant and started abusing her son and when the
informant intervened, the accused persons assaulted the
informant on her head by means of rod and these petitioners
also assaulted the informant by means of Lathi on her waist and



temple.

4. Learned counsel for the petitioner submits that there is an inordinate delay in lodging of the FIR inasmuch as from perusal of the FIR, it would be evident that the occurrence took place on 05.02.2020 but the FIR has been lodged after delay of 12 days on 17.02.2020 and there is no explanation for the said delay. Learned counsel further submits that petitioners have been implicated in this case due to previous enmity. Learned counsel further submits that no serious injury has been caused to the informant and opinion of the doctor regarding nature of injury is still reserved.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that both the parties are co-villagers and there is previous dispute between them, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, petitioners, above named, shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Azimabad PS Case No. 04/2020, subject to



the conditions as laid down under Section 438(2) CrPC.

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

(Anil Kumar Sinha, J)

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