

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30386 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

1. Sakaldeo Yadav @ Shailendra Kumar, aged about 35 years, male, S/o Musafir Yadav.
 2. Mithu Yadav, aged about 40 years, male, S/o Musafir Yadav.
 3. Jhuly Yadav @ Navlesh Kumar, aged about 30 years, male, S/o Musafir Yadav.
 4. Ranjeet Yadav, aged about 32 years, male, S/o Rajo Yadav.
 5. Rajeev Yadav, aged about 35 years, male, S/o Ram Briksha Yadav.
 6. Ranjan Yadav, aged about 25 years, male, S/o Ram Briksha Yadav.
 7. Pradeep Yadav, aged about 35 years, male, S/o Late Sukhdeo Yadav.
 8. Kheru Yadav, aged about 33 years, male, S/o Ram Briksha Yadav.
 9. Naresh Yadav, aged about 55 years, male, S/o Gajjo Yadav.
- All R/o Village-Baratpura, P.S.-Muffasil, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-12-2020

Heard Mr. Ram Prawesh Kumar, learned
counsel for the petitioners and Mr. Ram Priya Sharan
Singh, learned APP for the State.



This is an application on behalf of the nine petitioners for grant of anticipatory bail in connection with Muffasil P.S. Case No. 366 of 2019, dated 01.12.2019, instituted for the offences under Sections 323, 341, 324, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioners that the act of assault has been attributed to petitioner Nos. 1, 2 and 3 only. So far as petitioner Nos. 4, 5, 6, 7, 8 and 9 are concerned, they are only said to be the members of the mob. Apart from this, it has been submitted that the injuries suffered by the victims are stated to be simple in nature. There is admitted land dispute between the parties and only because of the past dispute, the present case has been lodged.

However, regard being had to the fact that petitioner Nos. 1, 2 and 3 have been alleged with certain/specific overt acts, I am not inclined to grant anticipatory bail to them.



The prayer for grant of anticipatory bail of petitioner Nos. 1, 2 and 3, viz., Sakaldeo Yadav @ Shailendra Kumar, Mithu Yadav and Jhuly Yadav @ Navlesh Kumar, is, accordingly, rejected.

However, if petitioner Nos. 1, 2 and 3 surrender before the Court below and seek regular bail, the Court below shall consider their case on its own merits, without being prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained by this Court.

So far as petitioner Nos. 4, 5, 6, 7, 8 and 9, viz., Ranjeet Yadav, Rajeev Yadav, Ranjan Yadav, Pradeep Yadav, Kheru Yadav and Naresh Yadav, are concerned, they in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Muffasil



P.S. Case No. 366 of 2019, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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