

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72355 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- GAUNAHA District- West Champaran

1. Binod Yadav, 40 Y/M, Son of Sri jawahir Yadav
2. Kalawati Devi, 60 Y/V, W/o Sir Jawahir Yadav
3. Sunaina Devi, 40 Y/F W/o Sri Binod Sah
All residents of Village - More Belwa, P.S.- Gaunaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

4 14-07-2020 Heard Mr. Umesh Chandra Verma, learned counsel
for the petitioners and Mr. Manoj Kumar, learned counsel for
the State.

In this case, the petitioners are apprehending their
arrest in connection with Gaunaha P.S. Case No. 68 of 2019
registered for offences under sections 447, 341, 323, 307, 385,
302/34 of the Indian Penal Code.

In the present case, it has been alleged that on the
date of occurrence, the Informant heard the loud voice
whereafter he went there and found that Pradeep Yadav was
quarreling with her daughter Kanti Devi sitting in her grocery
shop for refusal to provide goods on credit and, later on, it has



been alleged that the petitioners and other family members have assaulted the son-in-law and daughter of the Informant.

Against the petitioner nos. 2 & 3, who are lady, there is an allegation of assault by fists and slaps whereas the allegation against the petitioner no.1 is of assaulting by means of Lathi.

Looking to the entire facts and circumstances of the case, let the petitioner nos. 2 & 3, above named, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 68 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call them for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if they repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.



Looking to the allegation made against the petitioner no.1, this Court is not inclined to grant privilege of anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the petitioner no.1, above named, is rejected. If he surrenders before the court below within a period of four weeks from today and prays for bail, the court below, without being prejudiced by this order, will take a decision in accordance with law.

(Shivaji Pandey, J)

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