

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77681 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- PARASBIGHA District- Jehanabad

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1. Gobardhan Yadav Son of Late Ram Jatan Yadav, resident of Village- Rangu Bigha, P.S.- Parasbigha, District- Jehanabad.
 2. Rohit Yadav @ Rohit Kumar Son of Gobardhan Yadav, resident of Village- Rangu Bigha, P.S.- Parasbigha, District- Jehanabad.
 3. Harishchandra Yadav @ Harishchandra Kumar Son of Gobardhan Yadav, resident of Village- Rangu Bigha, P.S.- Parasbigha, District- Jehanabad.
 4. Saroj Devi Wife of Gobardhan Yadav, resident of Village- Rangu Bigha, P.S.- Parasbigha, District- Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Paras Nath, Advocate

For the Opposite Party : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 26-06-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State via video conferencing.

The petitioners seek pre-arrest bail in connection with Parasbigha P. S. Case No.76 of 2019 registered under Sections 341, 323, 504, 307, 354/34 of the Indian Penal Code.



It is contended by the learned counsel for the petitioners that there is no allegation of assault against petitioner nos. 3 and 4. As far as, petitioner nos. 1 and 2 are concerned, though there is allegation against them that they assaulted Jaimani Devi, the doctor, who examined her found only pain and swelling of left shoulder and whole body pain. It is further contended that in view of nature of injury, the ingredients of Section 307 of the Indian Penal Code are not attracted. It is also contended that since there is no allegation of outraging modesty of the injured Jaimani Devi, the ingredients of offence under Section 354 of the Indian Penal Code would also not been attracted.

Learned Additional Public Prosecutor for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering superficial injury found on the person of the informant Jaimani Devi, the petitioners named above are directed to be released on bail, in the event of their arrest or surrender before the court below, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jehanabad in Parasbigha P. S. Case No.76 of 2019,



subject to the conditions as laid down under Section 438 (2) of
the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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