

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85403 of 2019

Arising Out of PS. Case No.-253 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. KAMESHWAR YADAV Son of Vishwanath Yadav Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.
 2. Santosh Kumar Yadav @ Santosh Yadav Son of Vishwanath Yadav Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.
 3. Debu Yadav Son of Vishwanath Yadav Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.
 4. Manish Kumar Yadav @ Manish Yadav Son of Kameshwar Yadav Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.
 5. Dharamveer Yadav @ Dharamveer Kumar Yadav Son of Kailash Yadav @ Kailash Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.
 6. Kailash Yadav Son of Vishwanath Yadav Resident of Village-Balughat Machhahatta Ward No.6, Police Station-Lalit Narayan Mithila University, Darbhanga, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner nos. 5 and 6 in order to enable them to surrender before the learned court below within four weeks from today and seek regular bail.

Accordingly, the present petition stands dismissed qua the petitioner nos. 5 and 6, however, with liberty to them to



surrender before the learned court below and seek regular bail.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Lalit Narayan Mithila University, Darbhanga P.S. Case No. 253 of 2019/ C.R.I. No. 2241 of 2019 registered for the offence punishable under Sections 147, 149, 448, 323, 307, 354 and 504/506 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having arrived at the house of the informant and assaulted the informant. It is alleged that the petitioner no. 3 had earlier taken away the daughter of the informant with the purposes of solemnizing marriage and had kept her with him for a considerable time. The specific allegation of assault is against the petitioner nos. 5 and 6, which resulted in grievous injury being sustained by the informant.

The learned counsel for the petitioners has submitted that as far as the petitioner nos. 1 to 4 are concerned, there is no allegation of any sort of specific overt act and they are not alleged to have assaulted the informant. It is further submitted that the petitioner nos. 3 has already solemnized marriage with the daughter of the informant and they are staying together and



this is the reason for false implication of the accused persons in the present case at the hands of the informant of this case. Lastly, it is submitted that the petitioner nos. 1 to 4 are having deep roots in the society, hence are not likely to flee away and would definitely join investigation, if any, as also the ensuing trial.

Having considered the facts and circumstances of the case and considering the fact that no allegation of any assault has been levelled as against the petitioner nos. 1 to 4, I deem it fit and proper to direct for grant of anticipatory bail to the petitioner nos. 1 to 4, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Darbhanga in connection with L.N.M.U. (Lalit Narayan Mithila University) P.S. Case No. 253 of 2019/ CRI No. 2241/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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