

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86307 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- OBRA District- Aurangabad

1. DINANATH YADAV @ DINANATH SINGH Son of Late Bodh Yadav Resident of Village - Radhe Bigha, P.S.- Obra, District - Aurangabad
2. Ramnath Yadav @ Ramnath Singh Son of Late Bodh Yadav Resident of Village - Radhe Bigha, P.S.- Obra, District - Aurangabad
3. Dhayanti Devi @ Dhayaniti Devi Wife of Dinanath Yadav Resident of Village - Radhe Bigha, P.S.- Obra, District - Aurangabad
4. Chandrawati Devi @ Chandrwati Devi Wife of Ramnath Yadav Resident of Village - Radhe Bigha, P.S.- Obra, District - Aurangabad
5. Ranjit Yadav @ Ranjit Kumar Son of Ramnath Yadav Resident of Village - Radhe Bigha, P.S.- Obra, District - Aurangabad
6. Arun Yadav @ Arun Singh Son of Rajendra Yadav Resident of Village - Kalyanpur, P.S.- Jamhore, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-02-2020 Learned Counsel appearing on behalf of the petitioners, at the outset, seeks permission to delete the names of petitioner nos. 3 and 4 from the array of party position inasmuch as he submits that petitioner nos. 3 and 4 have been made petitioners inadvertently and by mistake inasmuch as they have been granted bail by the learned Court below itself and it would be evident from the impugned order dated 22.10.2019 passed by learned A.D.J., Aurangabad.

Learned Counsel for the petitioner is permitted to



delete the name of the petitioner nos. 3 and 4 from the array of party position in the course of the day.

This application will now survive only for the petitioner nos. 1,2,5 and 6.

Heard learned Counsel for the petitioner nos. 1,2,5 and 6 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Obra Police Station Case No. 231 of 2019, disclosing offences under Sections 147/149/341/323/324/307/504/506 of the Indian Penal Code.

The allegation against the petitioners, as per the FIR, is that they entered into the house of the informant, and petitioner no. 1 assaulted the informant by means of sword and petitioner no.2 by means of lathi.

Learned Counsel for the petitioners submits that the allegation against the petitioners are general and omnibus in nature except petitioner nos. 1 and 2 and there is no specific allegation against the petitioner nos. 5 and 6. Learned Counsel further submits that both the parties are agnates and from the perusal of the injury report, which has been annexed at Annexure-2 series it would be evident that injuries caused to the informant has been found to be simple



in nature.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are agnates and there is a property dispute over partition and the injury has been found to be simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner nos. 1,2,5 and 6, above named, in the event of their arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Obra Police Station Case No.231 of 2019, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

Niraj/-

U		T	
---	--	---	--

