

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 85682 of 2019

Arising Out of P.S. Case No.-222 Year-2019 Thana-NAUTAN District- West Champaran

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1. Parmeshwar Yadav, Son of Hiralal Yadav
 2. Birendra Yadav, Son of Indrashan Yadav @ Ingrashan Yadav
 3. Anil Yadav, Son of Hiralal Yadav
 4. Kallu Yadav @ Kamalu Yadav, Son of Rajendra Yadav
 5. Gauri Devi, W/O Rajendra Yadav
 6. Anita Devi @ Anila Devi, W/O Birendra Yadav
 7. Chathiya Devi, W/O Hiralal Yadav, All are Resident of Village – Gahiri, Police Station – Nautan, District – West Champaran
- Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

04 12-08-2020

Heard Mr. Sanjay Kumar No. 7, learned Advocate for the petitioners and Mr. Aditya Narayan Singh-1, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Nautan P.S. Case No. 222 of 2019 dated 16.06.2019 instituted for the offences under Sections 341, 323, 354(B), 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Several persons have been made accused in this case. Allegation against petitioner nos. 1, 2 and 4 is of having assaulted the informant and her two sons by means of *farsa*.



Learned counsel for the petitioners has submitted that though the allegation is of assaulting by means of sharp cutting weapon, but the injury report discloses that the injuries have been caused by hard and blunt substance. It has also been argued that the petitioners are the neighbours of the informant and the dispute arose because of filling of land in front of the house of the informant.

Mr. Aditya Narayan, Singh, learned A.P.P. has submitted that the blunt portion of a sharp cutting weapon also can cause lacerated injury giving an impression that hard and blunt substance has been used for the assault.

Be that as it may, considering the nature of accusation and taking the entire set of facts in a holistic manner, this Court is inclined to grant anticipatory bail to the petitioners.

The petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of this order on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No. 222 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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