

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86837 of 2019

Arising Out of PS. Case No.-373 Year-2019 Thana- NARPATGANJ District- Araria

1. ASHOK KUMAR YADAV @ ASHOK YADAV, Son of Late Nandlal Yadav, Resident of Village- Tamganj, P.S.- Narpatganj, District - Araria.
2. Bhushan Yadav @ Raushan Kumar Yadav, Son of Ashok Yadav @ Ashok Kumar Yadav, Resident of Village- Tamganj, P.S.- Narpatganj, District - Araria.
3. Dipak Yadav @ Dipak Kumar @ Bauwa, Son of Ashok Yadav @ Ashok Kumar Yadav, Resident of Village- Tamganj, P.S.- Narpatganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354B, 379, 429 and 504 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Ranjan Kumar Yadav submitted before the Station House Officer, Narpatganj Police Station is to the effect that on 26.06.2019 at about 5.00 P.M., the goat of the informant grazed the crops of the accused persons, whereupon, all the accused persons, i.e., the petitioners twisted the neck of the the goat, as a



result, the goat died. On protest being made, the petitioners assaulted the brother of the informant, Madan Yadav whereas petitioner no.1, Ashok Yadav assaulted with a dabiya on the head of the informant. When the informant's wife came to rescue, she was assaulted by co-accused, Bhushan Kumar. The accused persons are also alleged to have torn the cloth of the informant's wife and snatched a silver chain from her.

It is submitted by learned counsel for the petitioners that in the background of grazing of crops by the goat of the informant's side, the accusation has been levelled against them. Moreover, there is a counter version of the occurrence, being Narpatganj P.S. Case No. 372 of 2019, registered for the offences punishable under Sections 341, 323,324, 354B, 379, 429 and 504 of the I.P.C. lodged by petitioner no.1. It is further submitted that subsequently, the informant has retracted from his initial version and has filed a petition to that effect before the learned Court below, as contained in Annexure-2. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners in the FIR.

Considering the genesis of the occurrence, there being



a counter version of the occurrence coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, in connection with Narpatganj P.S. Case No.373 of 2019 (G. R. No. 2294 of 2019), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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

