

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1056 of 2020

Arising Out of PS. Case No.-821 Year-2018 Thana- KHAGARIA District- Khagaria

1. Chandan Yadav Son of Suresh Yadav Resident of Village- Kumarchakki, P.S.- Muffasil, Dist- Khagaria.
2. Rubi Devi Wife of Chandan Yadav Resident of Village- Kumarchakki, P.S.- Muffasil, Dist- Khagaria.
3. Manju Devi W/o Late Mekap Yadav Resident of Village- Kumarchakki, P.S.- Muffasil, Dist- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party : Mr.Ram Sevak Choudhary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 323, 307, 379/34 and other allied sections of the Indian Penal Code and $\frac{3}{4}$ of the Prevention of Witch Practices Act.

Informant alleges that the accused persons including the petitioners came to her house. Thereafter co-accused Pawan Yadav caught her hair and dragged her, petitioner Chandan Yadav gave iron rod blow on her head and right arm, causing fracture in the right arm. Accused persons took away golden ornaments of the informant.

Learned counsel for the petitioners submits that the parties are agnate and the petitioners have falsely been implicated in this case due to previous enmity and land dispute. FIR has been lodged after two days' delay without explanation. Injuries caused by the victim have been found to be simple in



nature. Petitioners have got no criminal antecedent.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Khagaria (Mufassil) Police Station Case No. 821 of 2018, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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