

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80555 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- JALE District- Darbhanga

1. Jai Kishore Yadav Son of Bharat Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
2. Indra Kumar Yadav Son of Bina Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
3. Avinash Kumar Yadav Son of Jai Kishore Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
4. Sikendra Yadav @ Sikendra Kumar Yadav Son of Bhuneshwar Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
5. Bhuneshwar Yadav Son of Jaleshwar Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
6. Sopendra Yadav @ Sopendra Kumar Yadav Son of Bhuneshwar Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
7. Rakesh Yadav @ Rakesh Kumar Yadav Son of Lal Bahadur Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga
8. Santosh Yadav @ Santosh Kumar Yadav Son of Jang Bahadur Yadav, Resident of Village - Dhankaul, P.S.- Jalley, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A. K. Thakur, Sr. Advocate Mr. Malay Kumar Choudhary, Advocate Mr. Pravin Kumar, Advocate Swati Sinha, Advocate
For the Opposite Party/s :		Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 26-03-2021 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, petitioners are seeking anticipatory bail in connection with Jalley P.S. Case No. 69 of 2019 registered for offence punishable under sections 147, 148, 149, 341, 323, 324,



506, 379, 354B, 307 and 448 of the Indian Penal Code.

Allegation has been made that on 13.05.2019 at about 10:00 P.M. while the informant was sleeping in her house, the accused person Ratish Yadav and others covering their faces, came at the door of the informant with traditional weapons, wrapped the scarf in the neck of her son, Jitendra Yadav, took away and started assaulting to him that led to become apprehensive and seeing this the informant ran to save her son whereupon the accused persons tried to disrobe her and also assaulted the informant side. It has been alleged by the informant that her son is fighting from his life in the hospital.

Learned counsel for the petitioners submits that the incident took place, as the daughter of petitioner no. 1 was kidnapped by Jitendra Yadav, for that, he had lodged a criminal case against the informant side and they were threatening to withdraw the case otherwise, he will be finished. When he refused to withdraw the case, they started assaulting to him. There is case and counter case from both sides. No specific allegation has been made against the petitioners.

In such view of the matter, let the petitioners above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on



furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Darbhanga at Laheriasarai/Successor Court in connection with Jalley P.S. Case No. 69 of 2019, subject to condition that one of the bailors of the petitioners shall be their close relative. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioners.

(Shivaji Pandey, J)

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