

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14818 of 2021

Arising Out of PS. Case No.-263 Year-2020 Thana- MADHEPURA District- Madhepura

1. BAMBAM YADAV @ SHATRUGHAN YADAV @ SHATRUGHNA YADAV Son of Lakshman Yadav Resident of Village- Hanuman Nagar Choura Ward No. 17, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura.
2. Shivnandan Yadav Son of Late Lakshman Yadav Resident of Village- Hanuman Nagar Choura Ward No. 17, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura.
3. Kailu Yadav Son of Late Lakshman Yadav Resident of Village- Hanuman Nagar Choura Ward No. 17, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-01-2022 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State, through

Video Conferencing.

Learned counsel for the petitioner submits that vide
order dated 03.08.2021 and 15.12.2021, the bail petition against
petitioner No.2 and 3 are dismissed, as they have been arrested.

So far as this anticipatory bail application of
petitioner No.1 is concerned, it arises out of Madhepura
(Bharrahi OP) Police Station Case No. 263 of 2020, disclosing
offences under Sections 147, 148, 149, 341, 323, 307, 379, 504,

506 of the Indian Penal Code.

As per FIR, when the petitioner was ploughing his field, the accused persons including the petitioner came there. Petitioner No.1 stated that he would not allow to plough the field. The allegation against co-accused, Jhameli Yadav, is that he assaulted on the head of the informant's uncle by Farsa and on the order of petitioner No.1, the accused persons assaulted the injured with lathi.

The learned counsel by drawing my attention towards Annexure-2 has stated that although injury No.1 on the person of injured, Jugeshwar Yadav, was grievous in nature but it has not been attributed against the petitioner No.1 rather it is attributed against co-accused, Jhameli Yadav. He has also submitted that the present case is counter blast of Madhepura P.S. Case No. 262 of 2020 lodged by petitioner No.1 and in that case also, the members of petitioners side have sustained injuries.

Learned Addl. P.P. has opposed and the prayer for bail.

Considering the aforementioned fact and circumstances, let the petitioner No.1, named above, in the event of his arrest or surrender before the Court below within

four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Bharrahi OP) Police Station Case No. 263 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey , J)

sanjeev/-

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