

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58871 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- MANSI District- Khagaria

1. SARJAN YADAV S/O UPENDRA YADAV R/o village- Amani, P.S.- Mansi, District- Khagaria
2. Khaltu Yadav S/o Gajo Yadav R/o village- Amani, P.S.- Mansi, District- Khagaria
3. Upendra Yadav S/o Late Ram Kishun Yadav R/o village- Amani, P.S.- Mansi, District- Khagaria
4. Gajo Yadav S/o Late Ram Kishun Yadav R/o village- Amani, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The learned counsel for the petitioner seeks
permission to withdraw the present anticipatory bail application
against petitioner no. 4.

Permission is accorded.

The petitioner nos. 1, 2, and 3 apprehend their arrest
in a case registered for the offences punishable under Sections
147, 148, 149, 341, 323, 324, 307, 379, 504, and 506 of the
Indian Penal Code.



Learned counsel for the petitioners submits that the petitioner nos. 1 and 3 have antecedent of one case and petitioner no. 2 has antecedent of two cases and the informant alleges that while he was transporting wheat from his land to the house, he was intercepted by the accused persons including the petitioners, it is thus alleged that Bundal assaulted Ranvir by an iron rod over his head causing injury, thereafter Sarjan assaulted Sachindra on head by an iron rod causing injury, it is next alleged that Rana gave a spade blow to Sanjiv on head but he saved himself causing injury on other part of the body thereafter it is alleged that Sattan assaulted Ajit by lathi causing injury on hand and finger.

Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR it would manifest that no overt act has been alleged against petitioner nos. 2 and 3 and as far as petitioner no. 1 is concerned, he is alleged to have assaulted Sachindra on head by an iron rod causing injury but there is no injury on Sachindra.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners 1, 2 and 3, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Manshi P.S. Case No. 148 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned court below before accepting the bail bonds of Sarjan Yadav would verify whether any injury report is there on record or not with respect to Sachindra in the case diary, in the event if there is injury report of Sachindra in the case diary then this order, with respect to, Sarjan would not be acted upon.

(Satyavrat Verma, J)

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