

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15866 of 2023

Arising Out of PS. Case No.-25 Year-2020 Thana- ISHIPUR District- Bhagalpur

1. RAJESH YADAV Son of Kishan Yadav
 2. Usha Devi Wife of Late Mantu Yadav
 3. Ashtami Devi Wife of Shankar Yadav
 4. Punam Devi Wife of Bouna Yadav
 5. Sabo Devi Wife of Kishan Yadav
 6. Geeta Devi Wife of Wakil Yadav
- All are Resident of Village - Sabiya, P.S.- Ishipur (Barahat), District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Ishipur (Barahat) P.S. Case No.25 of 2020 instituted under Sections 341,323,324,325,379,307,504,506/34 of the Indian Penal Code lodged on 02.04.2020 by the informant Ganesh Yadav.

As per the prosecution story, on 31.3.2020 at 7.00 P.M. Shankar Yadav came to informant's house and assaulted him on his head causing injury. Wakil Yadav was assaulted his left hand causing fracture broken. When his brother (Sikandar



Yadav) came to rescue, then Lalu Yadav and Rajesh Yadav assaulted them by means of 'farsa' while other accused person pelted stones. Accordingly, the FIR.

Learned counsel for the petitioners submit that there is allegation of using 'farsa' on the hand of the injured and according to the opinion the same has been reserved.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Considering the kind of allegation that has come against petitioner no.1 this Court is not inclined to extend him any relief and his anticipatory bail application stands rejected.

Taking into account petitioner nos.2 to 5 are ladies, have no criminal antecedent and putting them behind bar will serve no purpose, this Court is inclined to grant them privilege of anticipatory bail.

Let the petitioner nos.2 to 5, namely, Usha Devi, Ashtami Devi, Punam Devi, Sabo Devi, Geeta Devi be released on anticipatory bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Ishipur (Barahat) P.S. Case No.25 of 2020 to the satisfaction of learned A.C.J.M., XIII, Bhagalpur, subject to the conditions as laid down under Section



438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners will make themselves available to the police as and when required in course of investigation;

(iii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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