

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26568 of 2023

Arising Out of PS. Case No.-485 Year-2021 Thana- PHULPARAS District- Madhubani

1. Raushan Yadav @ Raushan Kumar Son Of Brahmdev Yadav, resident Of Village- Sisouni, Ps- Phulparas, Distt- Madhubani
2. Malti Devi Wife Of Arun Yadav, resident Of Village- Sisouni, Ps- Phulparas, Distt- Madhubani
3. Ram Yadav @ Ramku Yadav @ Ram Kumar Yadav Son Of Brahmdev Yadav Resident Of Village- Sisouni, Ps- Phulparas, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate Mr. Udehsya Kumar Yadav, Advocate
For the State	:	Mr.Brajendra Nath Pandey, APP
For the informant	:	Mr. Lakshmendra Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2023 At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioner no.1 to withdraw the present application qua him in order to enable him to surrender before the learned court below, within a period of four weeks from today and avail the privilege of regular bail. Liberty so sought is granted.

Accordingly, the present application qua the petitioner no.1 stands dismissed as not



pressed.

Heard the learned counsel for the petitioners nos.2 and 3 and learned APP for the State as also learned counsel for the informant.

This is an application for grant of anticipatory bail in connection with Phulparas P.S. Case No.485 of 2021, registered for offences under Sections 147, 148, 149, 448, 341, 323, 307, 354(B), 379, 504, 506 of the IPC.

The allegation is regarding the accused persons, including the petitioners herein, having abused and assaulted the husband of the informant, the informant, her daughter and her son resulting in the husband of the informant sustaining grievous injuries.

The learned counsel for the petitioners no. 2 and 3 has submitted that the petitioners no.2 and 3 are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners no. 2 and 3 has further submitted that as far as the petitioner nos. 2 and 3 are concerned,



a general and omnibus allegation has been levelled against them and the grievous injuries sustained by the husband of the petitioner is attributable to the petitioner no.1, hence the petitioners no. 2 and 3 be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the grievous injuries sustained by the husband of the informant is attributable to the petitioner no.1, apart from the fact that the petitioners no.2 and 3 are having a clean antecedent, I deem it fit and proper to admit the petitioners no.2 and 3 to the privilege of anticipatory bail.

Accordingly, the above named



petitioners no.2 and 3 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, 1st, Jhanjharpur, District-Madhubani in connection with Phulparas P.S. Case No.485 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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