

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36006 of 2023

Arising Out of PS. Case No.-269 Year-2018 Thana- MADANPUR District- Aurangabad

1. Babu Ram Yadav Son of Late Jatu Yadav R/o village - Laltenganj, P.S. - Madanpur, Distt. - Aurangabad
2. Ranjit Saurav Yadav @ Sanjit Saurav Son of Babu Ram Yadav R/o village - Laltenganj, P.S. - Madanpur, Distt. - Aurangabad
3. Shyampati Devi @ Samapati Devi Wife of Babu Ram Yadav R/o village - Laltenganj, P.S. - Madanpur, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-07-2023 Heard Mr. Kratyanand Jha, learned counsel appearing on behalf of the petitioners and Sri Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. Three petitioners are apprehending their arrest in connection with Madanpur P.S. Case No. 269 of 2018 registered for the offence punishable under Sections 341, 323, 308, 504 and 34 of the Indian Penal Code.

3. Allegedly on account of a dispute regarding sewage drain between the parties, all the accused persons by forming an unlawful assembly, brutally assaulted the informant and his family members by means of sticks and rod due to which they



sustained serious injuries.

4. Learned counsel appearing on behalf of the petitioners submits that as per the narration of the F.I.R., it is evident that omnibus allegation has been levelled against all the F.I.R. named accused persons including the petitioners. He further submits that the present case is nothing but a counterblast to Madanpur P.S. Case No. 262 of 2018 filed by petitioner no. 1. He further drew the attention of this court to the injury report, which has been brought on record by way of Annexure- 3 series, and submits that prima facie it shows that all the injuries are simple in nature. He next submits that both the petitioners are accused in Madanpur P.S. Case No. 141 of 2016, however, they have already been on bail.

5. On the other hand, learned APP for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence apart from the fact that prior to the institution of this case there had already been a case being Madanpur P.S. Case No. 262 of 2018 lodged by the petitioner no. 1, coupled with the simple nature of the injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before



the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 269 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Aditi

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

