

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53284 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- MADHEPURA District- Madhepura

1. SUBHASH YADAV Son of Late Chandeshwari Yadav Resident of Village - Gadhiya, Ward No.- 01, P.S. and District - Madhepura
2. Radheshyam Yadav Son of Narsingh Yadav Resident of Village - Gadhiya, Ward No.- 01, P.S. and District - Madhepura
3. Satto Yadav Son of Late Bindeshwari Yadav Resident of Village - Gadhiya, Ward No.- 01, P.S. and District - Madhepura
4. Dinesh Yadav @ Dina Yadav Son of Jagdish Yadav Resident of Village - Gadhiya, Ward No.- 01, P.S. and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 268 of 2022 for the offence registered under Sections 147, 148, 149, 448, 341, 323, 354A, 307, 427, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant alleged that one Pintu Yadav @ Pintu Kumar made indiscriminate firing from his illegal fire arms and later he along with named accused



assaulted the female members of the family namely, Draupadi Devi, Sanjana Devi, Kanchan Devi, Chano Devi and Laro Devi.

Learned counsel for the petitioners submit that it is a matter of case and counter case. He further submits that accused Pintu Yadav @ Pintu Kumar has since been granted the privilege of anticipatory bail on 08.12.2022 by a co-ordinate Bench of this Court. His last submission is that irrespective of the outcome of the present case, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 3000/- each to the five injured persons (totalling Rs. 15,000/-) through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the injured female members of the family after checking the credentials;

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that it is a matter of case and counter case, co-accused, Pintu Yadav @ Pintu Kumar has since been extended the privilege of anticipatory bail and ultimately, the petitioners will have to face the trial, this Court is inclined to grant them relief, subject to payment of Rs. 3000/- each to the five injured female members as stated above.



Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 268 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha -

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