

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57921 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. Dilip Yadav S/O Ramavata Yadav
2. Babusaheb Yadav S/O Satyanarayan Yadav
3. Rohit Yadav S/O Ramavatar Yadav
4. Triveni Yadav S/O Ramavatar Yadav
5. Aashnarayan Yadav S/O Late Narayan Yadav

All Are Resident Of Village- Bagharas P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Ghanshyampur P.S. Case No.87 of 2022 instituted under Sections 147, 148, 149, 341, 323, 324, 307, 427, 380, 504 of the IPC.

As per the prosecution story, the allegation is that the petitioners armed variously assaulted number of persons from



the informant's side including the buffalo present in their house, causing injuries to them. This included the female inmates also. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that it is a matter of case and counter case, injuries have been found to be simple in nature and they have no criminal antecedent and further irrespective of the outcome of the present case the petitioners, five in numbers would like to extend a sum of Rs. 10,000/- each to the five injureds totalling Rs.50,000/-.

Learned APP for the State opposes the prayer stating that they have assaulted the number of family members and the animal present in the house.

Taking into account all the aforesaid facts including that they will be cooperating in the investigation and will face the trial, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs.50,000/- to the informant as stated above 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 informant after checking the credentials.

Let the petitioners be released on 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 Ghanshyampur P.S. Case No.87 of 2022 to the satisfaction of learned A.C.J.M., Ist, Biraul, Darbhanga, 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 himself 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 appear before the concerned police station every fortnight for next six months to mark attendance;

(v) 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;

(vi) 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 /-

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

