

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16397 of 2024

Arising Out of PS. Case No.-465 Year-2023 Thana- BARACHATTI District- Gaya

1. Puna Yadav @ Shiv Charan Yadav S/o Loki Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
2. Shankar Yadav S/o Loki Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
3. Loki Yadav S/o Late Govind Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
4. Ranjit Kumar S/o Shankar Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
5. Sugina Devi W/o Shankar Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
6. Sanju Devi W/o Puna Yadav @ Shiv Charan Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya
7. Sunita Devi W/o Mukesh Yadav R/o Vill - Pakariya, P.S. - Mohanpur, Dist. - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-03-2024

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Barachatti (Mohanpur) P.S. Case No. 465 of 2023 for the offence under sections 341, 323, 354, 447, 379, 307, 427 of the I.P.C. lodged on 16.05.2023 by the informant, Renu Devi.

3. As per the prosecution story, the informant alleged



that the accused persons with common intention entered the house of the informant, abused stating that the calf which died is due to the evil nature of the informant and in the process, the petitioner no. 1 assaulted Chandan causing injury. Further, the allegation is that Shankar Yadav and Loki Yadav have given rod blow. He was taken to Primary Health Centre, Mohanpur for treatment. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that due to minor issues, certain scuffle took place, the injuries have been exaggerated and all have been found to be simple in nature which has also come in the order of the learned Additional District and Session Judge, Sherghati, Gaya.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 1,500/- each (totalling Rs. 10,500/-) 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.

6. Learned APP opposes the prayer stating that for the



death of the calf, the informant was abused and her son assaulted.

7. Taking into account the aforesaid submissions of the learned counsel for the petitioner as also that the injuries have been found to be simple in nature, three of the petitioners are lady and they do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sherghati, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 465 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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;

(iii) 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;

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

(Rajiv Roy, J)

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