

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38014 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- TURKAULIYA District- East
Champaran

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1. Sonu Yadav @ Sonu Kumar Yadav @ Sony Yadav S/o Soch Yadav R/o vill - Pachrukhaa, P.S. - Banjariya, Distt. - East Champaran
 2. Lawkush Yadav S/o Soch Yadav R/o vill - Pachrukhaa, P.S. - Banjariya, Distt. - East Champaran
 3. Arun Yadav S/o Soch Yadav R/o vill - Pachrukhaa, P.S. - Banjariya, Distt. - East Champaran
 4. Soch Yadav S/o Late Rajendra Yadav R/o vill - Pachrukhaa, P.S. - Banjariya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2024 Heard Mr.Dhannjay Kumar, learned counsel for the petitioners and Mr.Khurshid Anwar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Turkauliya (Banjaria) P.S.Case No.122 of 2024, FIR dated 19.02.2024 registered for the offences punishable under Sections 341,323,307,504/34 of IPC.

3. Allegation against the petitioners is that they assaulted to the minor Bhagini of the informant. Petitioner Sonu Yadav fired upon the informant. Petitioner Arun Yadav started inflicting farsa blow on the informant's cousin brother. Due to assault with knife and farsa, the informant and his cousin



brother, both received cut injury on their head with oozing of blood and they fell down and became unconscious.

4. Learned counsel for the petitioners submits that the petitioner Nos.1,2 & 4 have clean antecedent. Petitioner No.3 carries one more case other than the present one. They have falsely been implicated in the present case. Further submits that due to some petty dispute, the present occurrence had taken place. There is case and counter case. Informant is the close relative of the petitioners. Further submits that due to admitted land dispute, the present occurrence had taken place, there is case and counter case and the injury received by the informant's side is simple in nature.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran at Motihari in connection



with Turkauliya (Banjaria) P.S.Case No.122 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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