

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40019 of 2024

Arising Out of PS. Case No.-300 Year-2023 Thana- DHORAIYA District- Banka

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1. Laddu Yadav @ Lattu Yadav Son of Late Anuplal Yadav R/O Vill.- Kushmaha, P.S.- Dhoraiya, Dist.- Banka
 2. Champa Devi Wife of Laddu Yadav @ Lattu Yadav R/O Vill.- Kushmaha, P.S.- Dhoraiya, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-07-2024

Heard the parties.

2. The petitioners are apprehending arrest in connection with Dhoraiya P.S. Case No. 300/2023 instituted under Sections 341, 323, 324, 308, 354B, 504, 506/34 of the Indian Penal Code lodged on 18.10.2023 by the informant, Chhatu Yadav.

3. As per the prosecution story, the informant alleged that there was minor issue relating to goat and he was ready to make payment but the accused persons started abusing and in the meantime, the petitioner no.2 Champa Devi hit the informant on his head causing injury when the wife came to rescue, her modesty was also outraged. The villagers came and



pacified the matter which followed the FIR.

4. Learned counsel for the petitioners has taken this Court to Annexure-2 to show that the injury on informant has been found to be simple in nature.

5. Learned APP opposes the prayer submitting that this lady injured the informant.

6. Considering the aforesaid facts/submissions as also that though there is allegation against the lady, Champa Devi (petitioner no.2), it has been found to be simple in nature, no specific allegation against petitioner no.1, both do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court 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 the like amount each in connection with Dhoraiya P.S. Case No. 300/2023 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative 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 co-operate in the investigation and make themselves available to the police as and when required;

(vi) 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;

(v) 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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