

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41637 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- PALANWA District- East Champaran

1. Amar Yadav Son Of Late Bhola Yadav
2. Ram Niwash Yadav @ Ram Niwash Ray
3. Shashikant Yadav, Both Are Sons Of Amar Yadav Resident Of Village - Laxmipur Pokhariya, P.S. - Adapur, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

Mr. Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 22-07-2024 Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 380, 325, 504, 34 of the IPC in connection with Palanwa P.S. Case No.72 of 2023.

3. The learned counsel for the petitioners submit that daughter of petitioner no.1 was married to Himanshu who is grandson of the informant.

4. It is next submitted that petitioner no.2 and 3 are sons of petitioner no.1. It is further submitted that on account of matrimonial dispute in between the daughter of petitioner no.1



and the grandson of the informant a panchayati had taken place, in which family of the husband and the wife had also appeared when an altercation took place in which both side assaulted each other.

5. It is next submitted it is alleged that the side of the petitioners assaulted the side of the informant causing injury on head, but then the side of the informant also also assaulted the side of the petitioners, for which the side of the petitioners instituted Palanwa P.S. Case No.70 of 2023. It is further submitted that the instant case is a counter blast to Palanwa P.S. Case No.70 of 2023 as the instant FIR is Palanwa P.S. Case No.72 of 2023. It is also submitted that since future of the daughter of the petitioner no.1 was at stake, as such an altercation had taken place in the panchayati leading to assault. It is next submitted that from the side of the petitioners also people got injured, but then side of the informant had already taken bail in Palanwa P.S. Case No.70 of 2023.

6. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel for the petitioners that the dispute was matrimonial in between the daughter of the



petitioner no.1 and the grandson of the informant.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Raxaul, East Champaran, Motihari in connection with Palanwa P.S. Case No.72 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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