

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5673 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- BARACHATTI District- Gaya

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1. Manoj Yadav Son of Basudev Yadav Resident of Village - Mathurapur, Police Station- Mohanpur, District- Gaya.
 2. Simpy Devi @ Sompiya Devi @ Sampiya Devi Wife of Manoj Yadav Resident of Village - Mathurapur, Police Station- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-05-2024 Heard Mr. Shailesh Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Kalyan Shankar,

learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Barachatti (Mohanpur) P.S. Case No. 687 of 2023
registered under Sections 341, 323, 504, 506, 325, 307 and 34 of
the Indian Penal Code.

3. As per the allegation made in the FIR, the
petitioners, alongwith other co-accused named in the FIR, had
assaulted the informant and her family members, as a result of
which, they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that both the sides are agnates and due to a dispute relating to partition of a house, they entered into a fierce fight, in which the petitioners in their self-defence, without intention, may have caused some injuries on the person of the informant and her family members and the petitioners have also made a complaint regarding the said incident before the Superintendent of Police, Gaya. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. In the facts and circumstances of the case, **the District Court is directed to call for injury report and if it finds that the injury is not on vital part of the body then in that case, the District Court is directed to release the petitioners on anticipatory bail**, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sherghati, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 687 of 2023, subject to the condition as laid down

under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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