

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50684 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- HARSIDHI District- East Champaran

1. AMRENDRA YADAV S/O CHANDAN YADAV R/O VILLAGE-YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
2. PUNDEO YADAV @ KUNDESHWAR YADAV @ PUNDESHWAR YADAV S/O LATE JOKHAN YADAV R/O VILLAGE- YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
3. SAROJ YADAV S/O LATE DHRUP YADAV R/O VILLAGE-YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
4. NIRANJAN YADAV S/O LATE DHRUP YADAV R/O VILLAGE-YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
5. MALBABU @ LALBABU YADAV @ LAL BABU S/O LATE DHRUP YADAV R/O VILLAGE- YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
6. SANTOSH YADAV S/O RAJENDRA YADAV R/O VILLAGE-YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.
7. PUSHPA RANJAN YADAV S/O RAJENDRA YADAV R/O VILLAGE-YADAVPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-01-2025 Heard Mr. Natraj Verma, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Harsidhi P.S. Case No. 309 of 2023 for the offence under Sections 147, 149, 341, 323, 324, 307, 379, 504 and 506 of the I.P.C. lodged on 12.05.2023 by the informant,



Awadhesh Yadav.

3. As per the prosecution story, the informant alleged that when he went to see the land, the allegation is that Amrendra Yadav assaulted with 'Farsa' on his head. As his brother, Nagina Prasad came to his rescue, Vidyasagar Yadav again gave 'Farsa' blow causing injury to his brother. Further allegation is on Kundeshwar Yadav, Saroj Yadav, Niranjan Yadav and Lalbabu Yadav of assaulting Arun Yadav and Vijay Yadav respectively with fist and slap and further when the injureds went to hospital for treatment, allegation against other accused persons including this petitioner is of ransacking the house. Accordingly, the FIR.

4. Considering the allegation that has come directly against the petitioner no. 1, Amrendra Yadav, no relief can be granted to him and as such, his prayer stands rejected.

5. So far as the other accused persons namely, Pundeo Yadav @ Kundeshwar Yadav @ Pundeshwar Yadav, Saroj Yadav, Niranjan Yadav, Malbabu @ Lalbabu Yadav @ Lalbabu Rai, Santosh Yadav and Pushpa Ranjan Yadav are concerned, considering the fact that main role is assigned to Amrendra Yadav, Vidyasagar Yadav and Kundeshwar Yadav whereas regarding other accused persons there is allegation of having



caught hold of the informant's side and assaulting them and further, one Nitish Kumar has been granted relief in Cr. Misc. No. 48471 of 2024, in that background, this Court is inclined to extend them privilege of anticipatory bail with conditions.

6. Let the petitioners, Pundeo Yadav @ Kundeshwar Yadav @ Pundeshwar Yadav, Saroj Yadav, Niranjana Yadav, Malbabu @ Lalbabu Yadav @ Lalbabu Rai, Santosh Yadav and Pushpa Ranjan Yadav be released on bail in the event of their 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 Chief Judicial Magistrate, East Champaran, Motihari, in connection with Harsidhi P.S. Case No. 309 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/relative of the petitioner Nos. 2, 3, 4, 5, 6 and 7 who shall provide official document to show his/her bona fide;

(ii) the petitioner Nos. 2, 3, 4, 5, 6 and 7 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 petitioner Nos. 2, 3, 4, 5, 6 and 7 shall appear before the concerned police station every month for next one year to mark their attendance;

(iv) the petitioner Nos. 2, 3, 4, 5, 6 and 7 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 petitioner Nos. 2, 3, 4, 5, 6 and 7 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)

Adnan/-

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