

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1242 of 2015

Arising Out of PS.Case No. -17 Year- 2014 Thana -KHUTAUNA District- MADHUBANI

1. Baleshwer Yadav,
2. Kapileshwer Yadav alias Kapleshwar Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Parmanand Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-01-2015 Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 2.9.2014 in a case registered for the offences punishable under Sections 147,148,149,323,341,379,307,448 and 380 of the Indian Penal Code.

It is alleged that the petitioner no.1 being ex-Panchayat Mukhia and petitioner no. 2 being his brother, wrapped towel in the neck of the informant and dragged when co accused persons took the motorcycle of the informant, assaulted the informant and also took away cloth and cash of Rs.35000.

It is submitted by the learned counsel for the petitioners that though injury no. 1 caused to the informant has been treated to be grievous by the doctor but it has been opined only dangerous to life which is contrary to the parameters given in the Code of

Criminal Procedure for treating the injury as grievous.

Considering the nature of accusation and the period in custody, let the above named petitioners 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 ACJM, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 17 of 2014.

Considering the criminal antecedent of the petitioners, the learned court below shall be at liberty to cancel the bail bonds of the petitioners in case the petitioners get involved in serious offence or defaults without any reasonable cause on two consecutive occasions.

(Dinesh Kumar Singh, J)

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