

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13176 of 2015

Arising Out of PS.Case No. -167 Year- 2014 Thana -KAKO District- JEHANABAD

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1. Suresh Yadav son of Ram Lakhan Yadav
 2. Shailesh Yadav son of Suresh Yadav
 3. Ramji Yadav son of Ram Lakhan Yadav

All are resident of village Rasalpur, P.s.- Kako, District- Jehanabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 10-04-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are languishing in custody since 06.02.2015 in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that petitioner no. 1 assaulted with Garasa on the neck of the informant, petitioner no. 2 Shailesh Yadav assaulted the informant with Garasa on his arm and thereafter others also assaulted the informant. Co-accused Mithilesh Yadav snatched Titan watch of the informant. When Lakhan Mahto and Ajeet Kumar came to his rescue petitioner no.

3 assaulted Ajeet Kumar with Garasa on his head.

It is submitted by learned counsel for the petitioners that though one injury of the informant has been found to be grievous but doctor has found no injury on the neck of the informant, though, petitioner no. 1 alleged to have caused injury on the neck of the informant. The injury caused by petitioner no. 3 to Ajeet Kumar has also been found to be simple. It is further submitted that the petitioners' side lodged case against informant at earlier point of time.

Considering the fact that the case lodged by the petitioners' side is at earlier point of time and the accusation of assault is not being corroborated by the medical opinion, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 167 of 2014.

(Dinesh Kumar Singh, J)

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