

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25974 of 2015**

Arising Out of PS.Case No. -10 Year- 2015 Thana -MADHEPURA District- MADHEPURA

- =====
1. Nitish Kumar Yadav @ Nitish Kumar, Son of Daya Nand Yadav,  
Resident of Village- Laxmipur, Muhalla- P.S. & District- Madhepura.  
2. Kumar Gaurav @ Kaju Kumar Son of Anil Yadav, Resident of village-  
Tuniyani, P.S. & District- Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. P.K.Pandey(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-07-2015                      The petitioners are apprehending their arrest in connection with Madhepura P.S. Case No. 10 of 2015 for the offence under Sections 447, 448, 341, 323, 307, 385, 379, and 427/34 of the Indian Penal Code.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that when the informant was at his medical shop suddenly, accused persons came at his shop and demanded Corex syrup. When informant told that he does not sell Corex syrup, then accused persons assaulted the informant on his head with iron rod and took away Rs. 15,000/- from the cash box of the shop.

It is submitted on behalf of the petitioners that there is case and counter case. Counter case is Annexue-3 to

the present application. It is further submitted that the injury has been sustained on the accused side also and the said injury has not been explained by the prosecution, which casts serious doubt upon the prosecution.

On behalf of the State, it has been submitted that the petitioners have named in the First Information Report.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 10 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Sudhir Singh, J)**

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