

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12567 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -MAKHDUMPUR District- JEHANABAD

1. Vikash Kumar @ Sanjay Kumar Son of Buchani Yadav, resident of village- Bajitpur P.S.- Makhdumpur, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.22406 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -MAKHDUMPUR District- JEHANABAD

- 1. Shashi Kumar son of Binod Yadav resident of village - Hirdabigha, P.S. Makhdumpur, District - Jehanabad.
- 2. Suraj Kumar son of Baleshwar Yadav
- 3. Ramu Yadav son of Late Parmeshwar Yadav
- 4. Birendra Yadav son of Dip Narayan Yadav residents of village Bajipur, P.S. Makhdumpur, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.23348 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -MAKHDUMPUR District- JEHANABAD

- 1. Ashok Kumar
- 2. Anand Kumar Both are S/o Shiv Ballam Yadav Resident of Village Bajitpur, P.S. Makhdumpur, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

petitioners in Cr. Misc. No. 22406 of 2015.

All the above-said petitions arise out of Makhdumpur P.S. Case No. 193 of 2014 registered under Section-307 & other minor Sections of the Indian Penal Code and, accordingly, all the above-said petitions are being heard and disposed off by this common order.

Heard learned counsels for the petitioners and learned Additional Public Prosecutor for the State.

At the very outset, it is pointed out that the petitioner in Cr. Misc. No. 12567 of 2015 namely, Vikash Kumar @ Sanjay Kumar and the petitioner No. 3 in Cr. Misc. No. 22406 of 2015 namely, Ramu Yadav have already been arrested.

Accordingly prayer for anticipatory bail of above-said petitioners stands dismissed being infructuous.

So far as rest petitioners are concerned; it is alleged that they mercilessly, assaulted the informant by different weapons. The informant sustained, altogether, four injuries and out of them, one injury, which was sustained on parital region, has been found grievous in nature but from perusal of the injury report of the injured, Ajay Yadav, it would appear that the injury, which was found on parital region of injured Ajay Yadav was only deep up to the bone and there was no fracture of the bone. Moreover, there

is case and counter case between the parties and several persons from the side of the petitioners, too, sustained injuries including the grievous injury.

Considering the aforesaid facts and circumstances of the case as well as submission of the parties, the prayer for anticipatory bail of the petitioners namely, Shashi Kumar, Suraj Kumar, Birendra Yadav (in Cr. Misc. No. 22406 of 2015), Ashok Kumar and Anand Kumar (in Cr. Misc. No. 23348 of 2015) is allowed and in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, they shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Makhdumpur P.S. Case No. 193 of 2014 to the satisfaction of Learned Chief Judicial Magistrate, Jehanabad subject to conditions as laid down u/S 438(2) of the Code of Criminal Procedure.

A.K.V./-

(Hemant Kumar Srivastava, J)

U		T	
---	--	---	--