

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26016 of 2015

Arising Out of PS.Case No. -557 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Moti Yadav @ Moti Prasad Yadav Son of Late Nak Chhedi Yadav.
 2. Ajay Kumar Yadav @ Ajay Kumar Son of Moti Yadav. Both resident of village-Bhagwanpur, P.S.- Sour Bazar, District: Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2015

Heard learned counsels for the petitioners

and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 307, 323, 324, 341, 34 of the Indian Penal Code.

It is alleged that with regard to ploughing of the land through tractor on the order of petitioner No. 1, petitioner No. 2 assaulted with farsa to the informant causing cut injury. On alarm being raised when the wife of the informant came to rescue then accused persons assaulted her with fists and slaps.

It is submitted by learned counsel for the petitioners that injury has been found to be simple and in the background of a petty dispute the occurrence took place. There is counter version of the occurrence also.

A statement has been made in para 3 of the

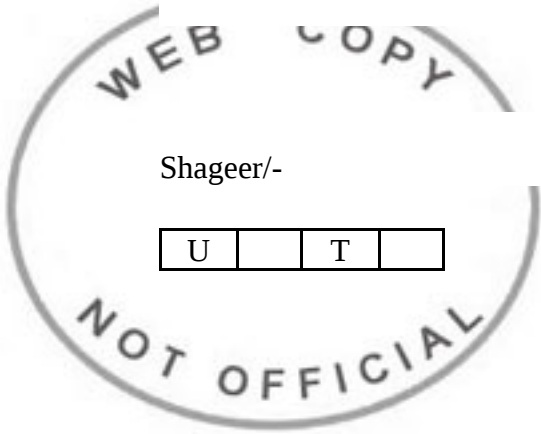
petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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, Saharsa in connection with Sour Bazar P.S. Case No. 557 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The case lodged by Manoj Kumar Yadav has been registered as Sour Bazar P.S. Case No. 557 of 2014 in which the petitioner has prayed for anticipatory bail, whereas the case lodged by the petitioner No. 1 is Sour Bazar P.S. Case No. 556 of 2014. The photocopy of the certified copy of F.I.R of Sour Bazar P.S. Case No. 557 of 2014 has been brought on record as Annexure-1 but it appears that fardbeyan of Sour Bazar P.S. Case No. 556 of 2014 has been induced and in the margin also the mistake has been perpetuated which has been recorded as Sour Bazar P.S. Case No. 557 of 2014. This reflects the casual manner in which the police and the G.R of the learned Chief Judicial Magistrate are functioning.

Let the order of this Court be communicated to learned Chief Judicial Magistrate, Saharsa as well as Superintendent of Police, Saharsa to take appropriate action

against the persons responsible for such mismanagement of the documents.



(Dinesh Kumar Singh, J)