

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28569 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Nagina Yadav son of Bhekhman Yadav
 2. Mahindra Yadav son of Baithnath Yadav
 3. Binod Yadav son of Nagina Yadav
 4. Manoj Yadav son of Yogendra Yadav All residents of Village - Ahirwa Tola, Police Station - Raxaul, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Manish Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-07-2015 Heard learned counsel for petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Raxaul P.S. Case No. 85 of 2015 registered for the offence under
Sections-325, 307, 379 & other minor sections of the Indian Penal
Code.

There is case and counter case between the parties
but it is specific that petitioner No. 3 gave farsa blow on the head
of the informant whereas; petitioner no. 4 gave lathi blow causing
fracture injury on the hand of the informant. So far as petitioner
Nos. 1 & 2 are concerned; there is no specific allegation of assault

against them and it is only stated that petitioner No. 2 snatched the bag containing Rs. 1,00,000/- (one lac) from the informant.

Learned counsel, appearing for petitioners submits that petitioner No. 1 sustained grievous injury in the occurrence and as a matter of fact, the present case has been lodged in retaliation to Raxaul P.S. Case No. 86 of 2015.

Considering the aforesaid facts and circumstances as well as submission of the parties, petitioner Nos. 1 & 2, namely, Nagina Yadav and Mahindra Yadav in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, 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 Raxaul P.S. Case No. 85 of 2015 to the satisfaction of Learned Sub Divisional Judicial Magistrate, Raxaul at Motihari subject to conditions as laid down u/S 438(2) of the Cr. P.C.

So far prayer for anticipatory bail of petitioner Nos. 3 & 4 namely, Binod Yadav and Manoj Yadav is concerned; the same stands rejected.

However, if the petitioner Nos. 3 & 4 above-named surrender in the court below within four weeks from today and seek regular bail, the concerned court shall consider their regular

bail application of the petitioners on its own merit, without being prejudiced by this rejection order

(Hemant Kumar Srivastava, J)

A.K.V./-

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