

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41815 of 2014

Arising Out of PS.Case No. -90 Year- 2014 Thana -SALKHUA District- SAHARSA

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1. MANTU YADAV SON OF DAYANAND YADAV
2. PINTU YADAV SON OF DAYANAND YADV BOTH RESIDENT OF
VILLAGE- PARASBANI, P.S.- SALKHUA (BANMA ITAHARI O.P.),
DISTRICT- SAHARSA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners are accused in connection with Salkhua
P.S. Case No. 90 of 2014 registered under Sections 341, 342, 323 and
302/34 of the Indian Penal Code and Section 3(2)(v) of the S.C./S.T.
Act.

The accusation is of causing injury to Vakil Sada,
husband of the informant, by the petitioners and one Pappu Yadav
through bricks and Fatha with specific allegation of causing injury by
Pappu Yadav at the head of the husband of the informant through
Fatha, who died at the spot.

Learned counsel for the petitioners submits that there is
specific allegation against Pappu Yadav, brother of the petitioners, to
cause injury at the head of the husband of the informant. The police

after investigation, submitted the charge sheet only against Pappy Yadav, showing innocent to the petitioners but the learned C.J.M. took the cognizance of the offence against the petitioners also. In fact, the injury was caused to the deceased by Pappu Yadav but the petitioners being the brother of Pappu Yadav have been figured as accused in the F.I.R. by the informant, who is the wife of the deceased.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Salkhua P.S. Case no. 90 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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