

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36184 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Manoj Yadav @ Manoj Kumar Yadav Son of Late Yogendra Yadav
 2. Shiv Shankar Yadav @ Shiv Shankar Prasad Yadav Son of Late Mahendar Yadav Both resident of village - Shitalpur, P.S. 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. Alok Kumar @ Alok Kr Shahi
For the Opposite Party/s : Mr. Hirday Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2015

Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 341,
323, 324, 307, 379, 34 of the Indian Penal Code and Section 27
of the Arms Act.

The prosecution case is that co-accused
Suresh Yadav started assaulting the informant. In the
meantime, co-accused Ashok Yadav resorted to fire from the
pistol. Co-accused Suresh Yadav is alleged to have assaulted
with farsa. It is alleged against the petitioners that petitioner
No. 1 Manoj Yadav took out rupees seven thousand from the
pocket of the informant whereas petitioner No. 2 Shiv Shankar
Yadav snatched gold chain worth rupees thirty five thousand.

When Vikash Yadav came to rescue then he was also assaulted.
Co-accused Ashok Yadav caused fire arm injury to Bipin Yadav.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The accusation of assault has not been levelled against the petitioners and petitioners' side lodged Raxaul P.S. Case No. 118 of 2015 at earlier point of time. It is further submitted that petitioners' side received grievous injuries.

Considering the fact that accusation of making assault is not against the petitioners, 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 Sub-Divisional Judicial Magistrate, Raxaul in connection with Raxaul P.S. Case No. 119 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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