

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43387 of 2015

Arising Out of PS.Case No. -594 Year- 2014 Thana -MADHEPURA District- MADHEPURA

1. Priyabrat Yadav S/o Siyaram Yadav
2. Deep Narayan Yadav S/o Late Bhupendra Yadav Both are residents of
Village- Manhara, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay(App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Madhepura P.S. Case No. 594 of 2014 registered under
Sections 307, 427, 379/34, 341, 323 of the Indian Penal Code and
27 of the Arms Act.

As per FIR, six named accused persons including the
petitioners and about 100 unknown villagers surrounded Tata
Sumo vehicle of the informant including two motorcycles and
then started pelting stones upon them, as a result of which two
persons sustained injuries.

It is contended that there is neither any direct nor any
specific allegation against the petitioners. The injuries sustained

by the informant and one Dinesh Sharma were all simple and superficial in nature. Four other co-accused persons, namely, Mithilesh Yadav @ Mithilesh Kumar, Nirmal Kumar, Bijendra Yadav @ Bijendra Prasad Yadav and Pappu Kumar, whose case stands on identical footing to that of the petitioners, have already been granted bail under Section 438 of the Code of Criminal Procedure vide order dated 23.03.2015 passed in Cr.Misc. No. 11837 of 2015.

Learned counsel for the State does not dispute these aspects of the matter.

In that view of the matter, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, namely, Priyabrat Yadav and Deep Narayan Yadav are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 594 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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