

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41568 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -MAGADH MEDICAL COLLEGE District-
GAYA

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1. Buttu @ Jamindra Yadav Son of Mukhlal Yadav,
2. Karu Yadav @ Raghvendra Yadav S/o Mukhlal Yadav, both resident of
Gulariachak, P.S. Magadh Medical, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 07-10-2015 Heard learned counsel for the petitioners Mr. Mahendra
Thakur along with Mr. Ajay Kumar Sinha and learned A.P.P. for
the State.

The petitioners apprehend their arrest in connection with
Magadh Medical P.S. Case No. 74/2015 registered for offences
punishable under Sections 341/323/324/307/379/504/34 of the
Indian Penal Code.

The prosecution case is that on 06.06.2015 at about 09:00
A.M. informant went to her newly built house for keeping cattle.
She saw that all the named accused persons were digging land
near the house of the informant. On her saying to make ditch away
from the house of the informant in their premises, all the named
accused persons started abusing the informant and assaulted with

Khanti. On hullah, when informant's Devar came to see her then he was also assaulted and other accused also assaulted the informant and snatched away chain and fled away.

It has been submitted by the counsel for the petitioner that the petitioners are innocent and they have been falsely implicated and the present case is a counter case as earlier petitioner No. 1 lodged Magadh Medical P.S. Case No. 73 of 2015 prior to the lodging of the present case and in fact, the injury as alleged by the informant are simple in nature as is evident by the injury report but the injury caused by the informant on the petitioner No. 1 is grievous and serious in nature.

In such circumstances, let the petitioners, namely, Buttu @ Jamindra Yadav and Karu Yadav @ Raghvendra Yadav in the event of their arrest / surrender within a period of four weeks from today before the Court below, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya in connection with Magadh Medical P.S. Case No. 74/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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