

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41718 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

Surendra Yadav @ Sumindra Yadav Son of Sukar Yadav Resident of
village/Mohalla - Asthawan Hadaradiyapur, P.S. Asthwan, District -
Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.46002 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

Binod Yadav, Son of Sukar Yadav, Resident of Village/Mohalla- Asthawan
Hadradiyapur, P.S.- Asthawan, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :
(In Cr.Misc. No.41718 of 2015)
For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Shahin Begum(App)
(In Cr.Misc. No.46002 of 2015)
For the Petitioner/s : Mr. Ritesh Kumar
For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 08-10-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under

Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the father of the informant was sleeping in the cowshed when the petitioners and others came variously armed and on the order of Bijay Yadav, Binod Yadav fired causing injury on the abdomen of the father of the informant when he tried to flee away then co-accused Lalo Yadav fired as a result the father of the informant fell down and while escaping from the scene other accused persons also resorted to fire.

It is submitted by learned counsel for the petitioners that admittedly only one firearm injury was caused to the father of the informant. The injury report of the father of the informant suggests two lacerated injuries; one on the abdomen and the other on the back and both the injuries have been found to be caused by hard and blunt substance, simple in nature. The injury report has been brought on record as Annexure-2 and 3.

Statements have been made in both the petitions that the petitioners have no criminal antecedent.

Considering the accusation being not corroborated with the medical opinion, let the above named petitioners be released on anticipatory bail in the event of their

arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Asthawan P.S. Case No. 81 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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