

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49864 of 2015

Arising Out of PS.Case No. -265 Year- 2014 Thana -CHANDAUTI District- GAYA

1. Pappu Yadav Son of Ramji Yadav Resident of Village - Chiraiyatand,
P.S.- Chandauti, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50040 of 2015

Arising Out of PS.Case No. -265 Year- 2014 Thana -CHANDAUTI District- GAYA

1. Ramji Yadav Son of Late Munshi Yadav, Resident of Village -
Chiraiyatand Police Station - Chandauti District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49864 of 2015)

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Ambika Bhagat (App)

(In Cr.Misc. No.50040 of 2015)

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 03-12-2015 Heard both sides.

The petitioners apprehend their arrest in Chandauti P.S.
Case No. 265/2014, registered for the offences punishable under
Section 341, 342, 323, 384, 307, 448, 504, 380 and 34 of the
Indian Penal Code and 3(i)(x) of S.C. S.T. Act.



Learned counsel for the petitioner submits that informant made allegation that the petitioners came to the shop of the informant and asked for Samsung mobile. When the informant replied that no Samsung mobile is available, the petitioners abused the informant and took Nokia mobile from the shop of the informant and also took Guddu Kumar with them. Guddu Kumar was assaulted.

It is submitted that the occurrence took place in another manner. There is a counter version bearing in Chandauti P.S. Case no. 266/14 registered on the basis of the fardbeyan of the Kaushalya Devi wife of Ramji Yadav one of the petitioner. The injuries found on the person of Guddu Kumar are simple in nature caused by hard and blunt object and the case has been compromised.

Mr. Ambika Bhagat Special P.P. however, opposed the prayer for bail, but submitted that the parties appeared to have compromised the case.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order and the court below on such verify the compromise petition between the parties and if the same is genuine, the learned

court below shall enlarge the petitioners on bail, 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 Sub-divisional Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 265/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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