

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52930 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -BHAGWANGANJ District- PATNA

- =====
1. Braham Dev Yadav Son of Lalji Yadav
 2. Happu Yadav Son of Lalji Yadav
 3. Guddu Yadav Son of Braham Dev Yadav All residents of Village - Harnath Chak, P.S. Bhagwanganj, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Adv.
For the Opposite Party/s : Mr. Abhay Kr. Roy, APP
For the informant : Mr. Ashish Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 15-12-2015 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Bhagwanganj P.S. Case No. 56 of 2015 for the offences punishable under Sections 341, 324, 326, 504/34 of Indian Penal Code.

The F.I.R. is placed at Annexure- 1 and although charges the petitioner Nos. 2 and 3 of catching hold the informant and his brother but the petitioner No.1 has been charged with assault with a khanti on the scalp of the son of the informant. The allegation against the petitioner No.1 is supported by the injury report which finds mention in the order of the court below.

Having heard learned counsel for the petitioner, learned

counsel for the State and learned counsel for the informant who has appeared through Mr. Ashish Sinha, the prayer of the petitioner No.1 namely, Braham Dev Yadav for the allegation so set out against him is rejected. Petitioner No.1 Braham Dev Yadav is directed to surrender before the court below and pray for regular bail which shall be considered and disposed of on its own merits without being prejudiced by the order passed herein.

In so far as petitioner Nos. 2 and 3 namely Happu Yadav and Guddu Yadav respectively are concerned, considering the nature of allegation and submissions of learned counsel, let the petitioner No.2 namely Happu Yadav and petitioner No.3 namely, Guddu Yadav in the event of their arrest/surrender within four weeks from today, be released on bail upon each of them furnishing individual bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Masaurhi at Patna in connection with Bhagwanganj P.S. Case No. 56 of 2015 subject to the conditions stipulated under Section 438(2) of the Code of Criminal Procedure.

The application is allowed in part.

(Jyoti Saran, J)

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