

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54226 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -KAUAKOL District- NAWADA

- =====
1. Lakhan Yadav son of Fago Yadav
 2. Radhey Yadav, son of Lakhan Yadav

,.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341, 323, 307, 504 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that petitioner no.1 Lakhan Yadav was standing under the tree when his son petitioner no.2, Radhey Yadav was cutting the branches of the tree of the informant. On being protested by the informant he was being abused by calling caste name and assaulted with 'tangi' on his head.

It is submitted by learned counsel for the petitioners that injury has been found to be lacerated in nature caused by

hard and blunt substance whereas the accusation of making assault is with sharp cutting weapon. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation not being corroborated with the medical opinion, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Kawakole P.S. Case No.107 of 2015, pending before the learned CJM, Nawada.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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