

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55448 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -KHAJAULI District- MADHUBANI

1. Sujan Devi W/o Ram Autar Yadav
2. Ram Autar Yadav S/o Gosai Yadav, Both of Resident of village-
Babupati, P.S.- Khajauli, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ashraf Ansari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-12-2015 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 and 506/34 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that with regard to a dispute of construction of wall petitioner no. 1 Sujan Devi assaulted with axe to the husband of the informant. In the evening the accused persons came to the house of the informant when co accused Rambabu Yadav assaulted on the hand of the informant's husband. The villagers came thereafter co accused Rambabu Yadav resorted to firing and escaped from the scene.

It is submitted by the learned counsel for the petitioners that there is no accusation of assault against petitioner no. 2. The injury report of the husband of the informant does not suggest any injury on the head which is alleged to have been caused by petitioner no. 1. It is further submitted that except the injury caused by Rambabu Yadav, all the injuries are simple. There is counter version of the occurrence. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent

Considering the accusation against petitioner no. 1 and the injury being simple, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani in connection with Khajauli P.S. Case No.80 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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