

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56404 of 2015

Arising Out of PS.Case No. -159 Year- 2015 Thana -GAMAHARIYA District- MADHEPURA

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1. Narayan Yadav S/o- Late Prayag Yadav
 2. Om Kumar
 3. Shyam Kumar
 4. Ram Kumar, all sons of Narayan Yadav, All resident of village- Jogabani, P.s. Gamharia, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Kalyan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 324, 380, 448 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the accused persons came at the door of the informant and on the order of co-accused Sikendar Yadav and Kartik Kumar, co- accused Sharvan Kumar caused injury with iron rod to the informant. Petitioner no.2, Om Kumar caused firearm injury on the left thigh of the informant. It is alleged against petitioner nos. 1, 3 and 4 that they snatched Rs. 10,000/- from the pocket of the informant and also took out

jewellery and other articles from the house.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of land dispute as petitioners were agnate of the informant and title suit is pending between the parties. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the specific accusation against petitioner no.2, let the learned court below consider the prayer for regular bail of petitioner no.2.

So far as petitioner nos. 1, 3 and 4 are concerned, since the accusation of assault has not been levelled against them, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhepura in connection with Gamharia P.S. Case No. 159 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

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(Dinesh Kumar Singh, J)