

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38705 of 2015

Arising Out of PS.Case No. -228 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Binod Yadav Son of Yadu Yadav,
2. Vikas Yadav @ Vikash Yadav Son of Doman Yadav
3. Vikash Kumar @ Vikash Kumar Son of Nandlal Yadav,
4. Alok Kumar Son of Nandlal Yadav
5. Dablu Yadav @ Bablu Yadav @ Bandhu Yadav Son of Yadu Yadav,
resident of Village- Kanhai Bigha P.S.- Town Aurangabad, District-
Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-11-2015 Anticipatory bail petition of petitioners Nos. 1 and 2
has already been dismissed as withdrawn.

The learned counsel for the petitioners seeks
permission to withdraw the anticipatory bail petition of Vikas
Kumar, petitioner No.3. Accordingly, anticipatory bail petition of
Vikas Kumar, petitioner No.3, is dismissed as withdrawn.

Heard both sides on anticipatory bail petition of Alok
Kumar, petitioner No.4, and Dablu Yadav @ Bablu Yadav @
Bandhu Yadav, petitioner No.5.

The petitioners apprehend their arrest in a case under

Section 307 and other sections of the Indian Penal Code.

The informant alleged that Dablu Yadav, petitioner No.5, assaulted her with stick on her head. Alok Yadav, petitioner No.4, and Binod Yadav are also alleged to have assaulted the informant but only one injury was found on the head of informant that too simple in nature. Dablu Yadav, Binod Yadav, Vikas Yadav, Alok Kumar and Vikas Kumar assaulted her husband. Binod Yadav assaulted her husband with Garasa and Vikas Yadav assaulted her husband with spear. Other accused persons assaulted him with stick. No specific allegation of assault is made against the petitioners Alok Kumar and Dablu Yadav. Mangal Yadav, husband of informant, got three injuries, two lacerated wound and one contusion but all the three injuries are simple in nature. There is a proceeding under section 107 of the Cr. P.C. pending between the parties and on account of land dispute the occurrence took place.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the petitioner No.4. Alok Kumar and petitioner No.5. Dablu Yadav @ Bablu Yadav @ Bandhu Yadav, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be

enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Aurangabad Town P.S. Case No. 228 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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