

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29602 of 2014

Arising Out of PS.Case No. -72 Year- 2013 Thana -KAUAKOL District- NAWADA

1. Jayram Yadav, Son of Sri Govind Yadav.
2. Naresh Yadav, Son of Sri Bhola Prasad Yadav
3. Pitambar Yadav, Son of Sri Bhola Prasad Yadav
All Residents of Village - Madhurapur, P.S.- Kawakol, District - Nawada

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Kawakol P.S. Case No. 72 of 2013 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307 and 384 of the Indian Penal Code, seek the privilege of pre-arrest bail.

The allegation is for demanding extortion for making construction and due to non-fulfillment, assaulting the informant and others.

It is submitted by the learned counsel for the petitioners that accusation of assault is omnibus and general and the injury

has been found to be simple, unable of assuming the accusation. No offence under Section 307 and 325 of the Indian Penal Code is made out. The petitioners have got no criminal antecedent and similarly situated Govind Yadav and Shankar Yadav have been allowed pre-arrest bail in Criminal Miscellaneous No. 1903 of 2014 by another Bench of this Court and, as such, the petitioners also deserve sympathetic consideration to which the learned A.P.P. is not in a position to distinguish the case.

In the facts and circumstances as stated above, the petitioners, Jayram Yadav, Naresh Yadav and Pitambar Yadav, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Kawakol P.S. Case No. 72/2013, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

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