

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3276 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -SARE District- NALANDA (BIHARSHARIFF)

- =====
1. Shivbalak Yadav, Son of Bihari Yadav, Resident of Village – Dulla Bigha, P.S. Sare, District – Nalanda.
 2. Pankaj Yadav, Son of Ramashray Yadav.
 3. Ramasarya Yadav, Son of Raghunath Yadav
 4. Ramlagan Yadav, Son of Raghunath Yadav
 5. Bihari Yadav, Son of Raghunath Yadav, petitioner no. 2 to 5 are resident of village – Dullabigha Sare, District – Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar Rai (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 27-01-2015

Heard both sides.

The petitioners apprehend their arrest in Sare P.S. Case No. 78 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant named the petitioners along with other accused persons and alleged that Bablu Kumar made firing. Mithilesh Yadav, Sunil Yadav and Khodh Yadav were also firing and the other accused persons assaulted the informant and others.

It is submitted that there is case and counter case bearing Sare P.S. Case No. 79 of 2014. Gore Lal Yadav the informant of Sare P.S. Case No. 79 of 2014 had received firearm injuries. It is further

submitted that from the side of the petitioners many persons were injured, but the injured from the side of the informant got simple injuries which would be apparent from Annexure-4 series. The informant Pokhan Yadav also got injuries caused by hard and blunt object, but the injuries are simple in nature.

Having considered the facts that there is mutual quarrelling between the parties, but from the side of the petitioners one person namely Gore Lal Yadav got firearm injury, but the informant of the present case got simple injuries, the petitioners, in the event of their arrest or surrender before the 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 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, Nalanda at Biharsharif in connection with Sare P.S. Case No. 78 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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