

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20700 of 2015

Arising out of PS.Case No. -215 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

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1. Tejo Yadav @ Tej Narayan Yadav, Son of late Baij Nath yadav.
 2. Pravin Yadav, son of Tejo Yadav @ Tej Narayan Yadav.
 3. Bhisma Yadav, son of Late Ramakant Yadav. All residents of Village Matihani, P.S Mansi, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kamal Kishore Jha, Advocate.

For the Opposite Party : Mr. Kalayan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-07-2015 The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 215 of 2014 for the offences instituted under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal Code and 27 of the Arms Act.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 13.11.2014 at 11.00 A.M. when the informant made protest as the accused Pravin Yadav, Dharamdeo Yadav, Moulabi Yadav, Tejo Yadav, Bhisham Yadav, Premchand Yadav and Gautam Yadav variously armed were forcibly irrigating his what crop, the accused Tejo Yadav saying “what for they were looking” ordered Pravin Yadav



and Bhisham Yadav to fire at him and he would see the consequence. The accused Pravin Yadav and Bhisham Yadav fired with their rifles. The bullet fired by Pravin hit the hand and bullet fired by Bhisham Yadav went ahead touching his right chest. Thereafter the other accused of the case assaulted the informant by means of Lathi, stick and butt of rifle.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. It is further submitted that the injury report do not corroborate the allegations made in the F.I.R. Further it is submitted that the petitioners have got no criminal antecedent.

On behalf of the State, it has been submitted that against the petitioner nos. 2 and 3, namely, Pravin Yadav and Bhisham Yadav there is allegation of assault.

Considering the same, I am not inclined to grant anticipatory bail to petitioner nos. 2 and 3, namely, Pravin Yadav and Bhisham Yadav. Hence, their prayer for anticipatory bail stands rejected.

So far as petitioner no. 1 Tejo Yadav is concerned, he is directed to be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Muffasil P.S. Case No. 215

of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Munger, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)