

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22497 of 2015

Arising Out of PS.Case No. -198 Year- 2014 Thana -KAKO District- JEHANABAD

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1. Anil Yadav
2. Rajeev Yadav @ Rajeev Kumar
3. Jai Jai Lal Yadav @ Jai Jai Lal Kumar Petitioner nos. 1 to 3 are S/o Ramjatan Yadav
4. Pappu Yadav @ Pappu Kumar
5. Manoj Yadav @ Manoj Kumar Both S/o Buchani Yadav @ Ram Devan Yadav.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kuamr

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-05-2015 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, 341, 323, 324, 325, 307, 427 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that seven accused persons came variously armed and started abusing the informant and on protest being made, co-accused Buchni Yadav assaulted on the head of the informant with Khanti, thereafter, petitioner nos. 1 and 2 assaulted the informant with lathi on his body and legs and when the informant's brother Dinesh Yadav came to rescue, he was also

assaulted by petitioner Jai Jai Lal Yadav with garasa on the head when co-accused Dhaniya Yadav petitioner Pappu Yadav and Manoj Yadav assaulted with lathi causing fracture injury on the leg of the brother of the informant.

It is submitted by learned counsel for the petitioners that injury of the informant and his nephew has been found to be simple and the brother of the informant received three injuries, out of which two injuries have been found to be simple when one injury has been found to be grievous. There is counter version of the occurrence also.

Considering the fact that one injury of the brother of the informant has been found to be grievous which is alleged against petitioner nos. 4 and 5, this Court is not inclined to grant them anticipatory bail.

Let the learned court below consider the prayer for regular bail of petitioner nos. 4 and 5 if they surrender within a period of six weeks.

So far as petitioner nos. 1 to 3 are concerned, since the injury caused by petitioner nos. 1 to 3 have been found to be simple and there is counter version of the occurrence also, 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 A.C.J.M., Jehanabad in connection with Kako P.S. Case No. 198 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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