

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4906 of 2015

- =====
1. Rajesh Yadav
 2. Tetar Yadav Both are S/O Late Murat Yadav
 3. Raj Kumar Yadav@ Raja Kumar Yadav
 4. Bhola Yadav
 5. Laldeo Yadav All 3 to 5 are sons of Rajesh Yadav All are Resident of vill-Jogri,P.S-Salaiya,Distt.-Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4. 27-02-2015. Heard learned counsel for the petitioners, the APP and the informant.

The petitioners apprehend their arrest in a case under section 307 and other sections of the IPC.

The informant named the petitioners and alleged that they had assaulted the informant and others. Bhola Yadav, petitioner no.4 is alleged to have assaulted the informant with tangi and Laldeo Yadav, petitioner no.5, is alleged to have assaulted Kiran Devi, the daughter of the informant. Bhola Yadav is alleged to have again assaulted the son of the informant with Garasi.

It is submitted that there is case and counter case and the accused persons of the counter case have already been enlarged on bail. The occurrence took place on 29.11.2014.

On perusal of the record, it appears that there is no specific allegation of assault against Rajesh Yadav, Petitioner no.1,

Tetar Yadav, petitioner no.2 and Raj Kumar Yadav, petitioner no.3 but there is specific allegation against Bhola Yadav and Laldeo Yadav, who are alleged to have assaulted the informant and his daughter Kiran Devi.

Considering the facts aforesaid, petitioner nos. 1. Rajesh Yadav, petitioner no.2 Tetar Yadav and petitioner no.3 Raj Kumar Yadav alias Raja Kumar Yadav, in the event of their arrest/surrender before the court below within 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 Chief Judicial Magistrate, Aurangabad in connection with Salaiya P.S.Case No.59 of 2014, subject to condition laid down u/s 438(2) Cr.P.C.

So far as petitioner no.4 Bhola Yadav and petitioner no.5 Laldeo Yadav are concerned, since there is specific allegation against them and corresponding injuries on head were found, I am not inclined to enlarge them on anticipatory bail and accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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