

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20535 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -MANSI District- KHAGARIA

1. Mantu Yadav Son of Botal Yadav,
2. Rintu Yadav, son of Botal Yadav,
3. Badiyal Yadav, Son of Botal Yadav, All resident of Village- Saidpur,
P.S.- Mansi, District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. T.P.Mandal(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State

The petitioners are apprehending their arrest in connection with Mansi P.S.Case No. 04 of 2015 instituted under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal Code.

The prosecution story, in brief, is that the cattle of co-accused Botal Yadav always destroys the wheat crop of the informant and in the aforesaid pretext co-accused Botal Yadav abused the informant and told to kill. At this petitioners accused armed with lathi and rod came there and began to assault the informant and his brother. Petitioner Mantu Yadav assaulted on the head of the brother of the informant by rod and petitioners

Rintu Yadav and Badiyal Yadav assaulted the informant by lathi.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. It has further been submitted that there is a case and counter case between the parties. Counter case is Annexure 2 to the present application. It has further been submitted that the accused persons have also sustained injuries in course of occurrence and the said injuries have not been explained by the prosecution. Hence the prosecution has not come with clean hand.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M.,Khagaria,in connection with Mansi P.S.Case No. 04 of 2015 , subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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