

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45823 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -RAJAULI District- NAWADA
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1. Shailendra Prasad S/o Rajendra Prasad
2. Anandi Yadav S/o Ramswarup Prasad
3. Pankaj Kumar S/o Baiju Prasad
4. Krishna Prasad S/o Chando Prasad
5. Sujit Prasad S/o Sahdeo Prasad
6. Pyare Prasad S/o Bhola Prasad
7. Prahalad Prasad S/o Sahdeo Prasad
8. Ramesh Prasad S/o Mahavir Prasad All r/o Beladih, P.S. Rajauli, District
- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar
For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-10-2015 Heard Sri Awadhesh Kumar, learned counsel for the

petitioners, and learned A.P.P. for the State.

The petitioners apprehend their arrest in Rajauli P.S.

case No. 56 of 2015 for the offences alleged under Section 147,
148, 149, 341, 323, 307, 448, 380, 504, 506 of the Indian Penal
Code.

The prosecution case is that on 24.03.2015 at about 7

AM when the informant was returning to his house after attending
the call of nature. All the accused persons, including the
petitioners, were standing there armed with Bhala, Gadasa and rod



and they started abusing him and told that they would carry animals through the field of informant and when he protested the accused persons have assaulted the informant with Bhala, Gadasa and rods and in course of saving himself from them, his left hand has been fractured. On 14.10.2015, when elder brother of informant, Dwarka Yadav, came to save, he was also assaulted by Bhola Prasad and Amrit Prasad with rod causing injury and thereafter the relatives of the accused persons namely, Pappu Yadav, Anandi Yadav, Krishna Prasad, Sujit Prasad, Pyare Prasad, Prahalad Prasad, Ramesh Prasad, Pankaj Kumar, Ramesh Prasad came there and they also started assaulting due to which Akhilesh Kumar sustained head injury and leg of Ashok Prasad and hand of Kashi Yadav were fractured and they also threatened of dire consequences.

It has been submitted by learned counsel for the petitioners that the petitioners have clean antecedent which is evident from paragraph 3 of this petition. It has further been submitted by learned counsel for the petitioners that the allegations against the petitioners are general and omnibus and a counter case has also been filed by the petitioners bearing Rajauli P.S. case No. 57 of 2015 against the informant and others and it is only due to enmity they have been made accused in the present

case.

Be that as it may, in case of arrest or surrender within a period of six weeks from today before the court below, the above named petitioners will be enlarged 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 the learned Chief Judicial Magistrate, Nawada in Rajauli P.S. Case No. 56 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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