

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54609 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -UDAKISHANGANJ District- MADHEPURA

- =====
1. Sunil Yadav Son of Baleshwar Yadav
 2. Suresh Yadav Son of Late Kusheshwar Yadav
 3. Saroj Yadav Son of Muneshwar Yadav
 4. Manoj Yadav Son of Muneshwar Yadav
 5. Kari Kumar Yadav alias Kari Yadav Son of Shiv Chandra Yadav
 6. Munna Yadav alias Munna Kumar Son of Naresh Yadav All residents of Village Chharrapatti, Ward No. 6, P.S. Uda Kishunganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-12-2015

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 452, 323, 324, 307, 506 of the Indian Penal Code.

The prosecution case is that on protest being made for abuse, co-accused Baleshwar Yadav assaulted with Garasa to the informant. Other accused persons were also variously armed and started making assault and caused injuries to Sanjay Yadav, Lalan Yadav and Shiv Kumar Yadav. It is alleged that co-accused Manoj Yadav, Kari Yadav, Shiv Chandra Yadav, Sunil Yadav, Kamleshwari Yadav, Mauji Yadav, Gaji Yadav surrounded the informant's side and used to push

them.

It is submitted by learned counsel for the petitioners that except two persons, all the injured of the informant's side received simple injuries. It is further alleged that except petitioner Nos. 2 and 3 who are alleged to have been armed with weapons, the accusation against petitioner Nos. 1, 4, 5, 6 are omnibus and general. There is counter version of the occurrence and petitioners' side also received injuries.

Considering the aforesaid facts, let the petitioners, above named, except petitioner Nos. 2 and 3 namely Suresh Yadav and Saroj Yadav, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Sub-Divisional Judicial Magistrate, Uda Kishunganj, Madhepura in connection with Kishunganj P.S. Case No. 116 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner Nos. 2 and 3 namely Suresh Yadav and Saroj Yadav are concerned, let learned Court below consider the prayer for regular bail of petitioner Nos. 2 and 3, above named, keeping in view of the fact that co-accused Baleshwar Yadav having specific accusation of assault has

been granted bail vide Cr. Misc. No. 48200 of 2015, if they surrender within a period of six weeks in connection with Kishunganj P.S. Case No. 116 of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Madhepura.

With the observations above, the application with regard to petitioner Nos. 2 and 3 stands disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--