

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55526 of 2015

Arising Out of PS.Case No. -338 Year- 2015 Thana -WAJIRGANJ District- GAYA

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1. Sarju Yadav S/o Late Sadhu Yadav
 2. Sanjay Yadav S/o Bharat Yadav
 3. Vijay Yadav S/o Bharat Yadav
 4. Uday Yadav S/o Bharat Yadav
 5. Bharat Yadav S/o Madho Yadav All Residents of village- Ekamba, P.S.-
Wazirganj, District- Gaya
 6. Shambhu Yadav S/o Uday Yadav
 7. Hare Ram S/o Uday Yadav Both resident of village- Sohar Bigha, P.S.-
Wazirganj, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-12-2015

Petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections 147,
341, 323, 324, 307, 379 of the Indian Penal Code.

The prosecution case is that while the
accused persons were ploughing the land of the informant,
protest was made from the informant's side when co-accused
Sudhir Kumar assaulted with Khanti on the head of the
informant. When the brother of the informant came to rescue
then he was being assaulted by Sarju Yadav and Sanjay Yadav
with lathi and Khanti. Thereafter co-accused Vijay Yadav, Uday
Yadav, Murari Yadav, Bharat Yadav came and assaulted the
informant and his brother causing fracture in the hand of the
brother of the informant. It is further alleged that wives of
Bharat Yadav, Vijay Yadav, Sarju Yadav, Sanjay Yadav, Uday

Yadav, Suresh Yadav pelted bricks and stones and co-accused Hare Ram and Shambhu Ram snatched cash of Rs. 10,000/- from the uncle of the informant.

It is submitted by learned counsel for the petitioners that petitioners being agnates of the informant have been framed due the land dispute. The injury of the informant has been found to be simple, though brother of the informant received grievous injuries. The accusation of assault is omnibus and general against several accused persons. There is counter version of the occurrence and two persons from the petitioners' side also received grievous injuries.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, 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 Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S. Case No. 338 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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