

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47442 of 2014

Arising Out of PS.Case No. -53 Year- 2014 Thana -PARAIYA District- GAYA

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1. Chhatradhari Yadav Son of Late Bishun Yadav
 2. Vikash Kumar Son of Vijay Yadav
 3. Munna Kumar Son of Madan Yadav
 4. Prem Kumar Son of Ram Chandra Yadav

All resident of village - Kosdihra, P.S. - Paraiya, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend arrest in Paraiya P.S. Case
No. 53 of 2014 dated 08.04.2014 instituted under Sections
341/323/379/448/504/427/307/34 of the Indian Penal Code.

The allegation against the petitioners is general and

omnibus of assault and further against one of the persons namely Saryu Yadav that he had taken Rs. 5,000/- from a box.

Learned counsel for the petitioners submits that the parties are agnates and there is case and counter case and injury on both sides. Learned counsel submits that only two persons were injured as per the present F.I.R. and both the said two persons are said to have been assaulted by co-accused who are not before this Court in the present application. Learned counsel submits that the petitioners, besides being agnates, have no criminal antecedent and later on the informant has retracted from his initial version and filed a petition to that effect before the court below. Learned counsel has produced web copy of order dated 04.02.2015 passed by a coordinate Bench of this Court in Cr. Misc. No. 4585 of 2015 by which Ram Pravesh Kumar and Mithilesh Kumar, who are co-accused and against whom there is specific allegation of assault leading to injury on the informant and his mother, have been granted anticipatory bail.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from

today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Gaya in Paraiya P.S. Case No. 53 of 2014, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

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