

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.542 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Shankar Yadav, Son of Chando Yadav
2. Ruplal Yadav, Son of Bhago Yadav Both are Reisdent of Village- Ratani,
P.S.- Govindpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.636 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -GOVINDPUR District- NAWADA

1. Sudhir Yadav, Son of Ruplal Yadav, Resident of Village- Ratani, P.S.-
Govindpur, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.542 of 2016)

For the Petitioner/s : Mr. Arun Kumar Arun, Adv.

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

(In Cr.Misc. No.636 of 2016)

For the Petitioner/s : Mr. Arun Kumar Arun, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
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ORAL ORDER

3. 17-02-2016 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor assisted by learned counsel for the
informant.

Cr. Misc. No. 542/2016 wherein Shankar Yadav and
Ruplal Yadav happens to be the petitioners while in Cr. Misc. No.

636/2016 wherein Sudhir Yadav is the petitioner originated out of Govindpur P.S. Case No. 87/2015 on account thereof, heard together and are being disposed of.

Informant Manoj Yadav, an injured who subsequently died had filed written report on 29.08.2015 alleging inter alia that on the same day at about 6.15 p.m. while he was returning along with his pet animals, Naresh Yadav, Nawalesh Yadav, Damodar Yadav, Binod Yadav, Shankar Yadav and Ruplal Yadav began to assault. They were further joined by Sima Kumari, Putti Devi and Guriya Devi along with 03-04 persons who brutally assaulted him. Out of assault, he became unconscious. After regaining sense, he has been lifted to police station and accordingly, he filed written report. The motive for occurrence has been shown over dispute regarding Gair Majarua land lying back to house of his cousin brother Mantu Yadav as well as in front of accused Naresh Yadav.

Petitioner Sudhir Yadav does not named in the written report. After going through the statement of the witnesses, it is evident that there happens to be omnibus allegation against all the accused. Furthermore, as per paragraph 15 of the case diary whereunder, statement of wife of the deceased has been incorporated which was recorded at Sadar Hospital Nawada where deceased was taken for treatment, where he died, it is apparent that

date of occurrence has been shown on 30.08.2015.

Be that as it may, considering the nature of the allegation, petitioners Shankar Yadav, Ruplal Yadav and Sudhir Yadav each are directed to be released on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Nawada in connection with Govindpur P.S. Case No. 87/2015.

(Aditya Kumar Trivedi, J.)

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