

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6061 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -HASPURA District- AURANGABAD

1. Manish Yadav Son of Raj Nandan Yadav
2. Rajnandan Yadav Son of Late Raghunath Yadav
3. Dharendra Yadav Son of Janeshwar Yadav
4. Dhanesh Yadav Son of Janardan Yadav
5. Ram Chandra Yadav Son of Budhan Yadav
6. Shiv Chandra Yadav @ Sheo Chand Yadav Son of Budhan Yadav
7. Janeshwar Yadav S/o Bighu Yadav
8. Ramashish Yadav Son of Mohit Yadav
9. Rampati Yadav Son of Mohit Yadav
10. Sahendra Yadav Son of Janeshwar Yadav
11. Jitendra Yadav Son of Ramashish Yadav
12. Kanahi Yadav Son of Chanarik Yadav
13. Harendra Yadav S/o Janeshwar Yadav All resident of village - Jadu Bigha, P.S. Haspura, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Singh
For the Opposite Party/s : Mr. Narendra Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-02-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Haspura Police Station Case No. 182 of 2015, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 325, 307 and 504 of the Indian Penal Code.

There are 21 persons named in the First



Information Report. There is allegation that the co-accused Satish Kumar assaulted the uncle of the informant with an axe (garasa) on his head, causing injuries. The said Satish Kumar is not a petitioner in the present application. The petitioner no. 2, Rajnandan Yadav, is said to have assaulted the informant with an iron-rod, causing fracture in his hand. There is allegation against co-accused Ravi Shankar Yadav, he is said to have given blow with garasa on the left hand of the informant. Ravi Shankar Yadav is also not a petitioner in the present application.

Learned Counsel appearing on behalf of the petitioners submits that except petitioner no. 2, Rajnandan Yadav, the allegation against these petitioners are general and omnibus. As against petitioner no. 2, it is alleged that he hit the informant with iron-rod. He further submits that on the basis of the allegations in the First Information Report, no offence under Section 307 of the Indian Penal Code can be said to be made out. The petitioners have no criminal antecedents, as stated in paragraph 3 of the application.

Considering the above, as above, this application is allowed.

Let the petitioners, namely, Manish Yadav, Rajnandan Yadav, Dharendra Yadav, Dhanesh Yadav, Ram

Chandra Yadav, Shiv Chandra Yadav, Janeshwar Yadav, Ramashish Yadav, Rampati Yadav, Sahendra Yadav, Jitendra Yadav, Kanhai Yadav and Harendra Yadav, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Haspura Police Station Case No. 182 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present himself before the police/Court, as the same may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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