

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6090 of 2016

Arising Out of PS.Case No. -312 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

- =====
1. Shiv Shankar Yadav @ Baiku Yadav son of Binod Yadav
2. Anoj Yadav @ Anoj Kumar Yadav son of Shiv Shankar Yadav @ Baiku Yadav Both are residents of village Suhath, P.S. Sour Bazar, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Manish Kumar No.2 (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 427, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case is that the animals of the accused persons were getting the crop of the informant grazed by their animals. When protest was made by the father of the petitioner then petitioner no. 1 Shiv Shankar Yadav @ Baiku Yadav assaulted with farsha on the head of the father of the informant. Thereafter petitioner no. 2,

Anoj Yadav @ Anoj Kumar Yadav resorted to fire, but did not cause any injury. It is further alleged that accused persons snatched the locket of the informant.

It is submitted by the learned counsel for the petitioners that for a petty dispute accusation has been levelled and only one sharp cut injury has been found on the scalp, though simple in nature. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Let the learned court below consider the prayer for regular bail of the petitioner no.1 namely Shiv Shankar Yadav @ Baiku Yadav, keeping in view of the fact that there is no accusation of repeating the below and the injury has been found to be simple in nature, if he surrenders before the learned court below within a period of six weeks from today in connection with Sour Bazar P.S. Case No. 312 of 2015, pending in the court of learned Chief Judicial Magistrate, Saharsa.

So far as petitioner no. 2 is concerned, the firing made by him, caused no injury to anyone and statement has been made in para-3 of the petition that petitioner has no criminal antecedent, let the above named petitioner no.2 be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,

Saharsa in connection with Sour Bazar P.S. Case No. 312 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

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