

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14478 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -RUPAULI District- PURNIA

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1. Shashi Bhushan Yadav
2. Mithilesh Yadav Both sons of Late Dukh Haran Yadav, Resident of village- Bahuti Nawadah P.S.- Rupauli (Mohanpur) District- Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Avnish Kumar, Advocate.

For the Opposite Party : Mr. Anil Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 28-06-2016 Heard both sides.

The petitioners apprehend their arrest in Rupauli (Mohanpur) P.S. Case No. 203 of 2015 registered for the offences punishable under Sections 341, 342, 323, 324, 379, 307, 504 and 34 of the Indian Penal Code.

On the order of Mithilesh Yadav petitioner no. 2, Shashi Bhushan Yadav petitioner no. 1 is said to have assaulted Shailendra Yadav with Pharsa on his head. One lacerated wound was found on the head of Shailendra Yadav.

It is submitted that there is a case and counter case. The opinion regarding injury received by Shailendra Yadav was kept reserved.

It appears that Shailendra Yadav got grievous injury as

Haematoma around left eye was found and the injured was advised to CT scan of brain and X-ray. Petitioner no. 1 Shashi Bhushan Yadav was the author of the aforesaid injury.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 1 Shashi Bhushan Yadav on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner no. 2 Mithilesh Yadav is concerned, there is no allegation of assault against him, he is said to be the order giver and there is a counter version, the petitioner no. 2 Mithilesh Yadav, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in in Rupauli (Mohanpur) P.S. Case No. 203 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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