

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17580 of 2016

Arising Out of PS.Case No. -290 Year- 2015 Thana -RAMGARH District- BHABHUA (KAIMUR)

- =====
1. Vindhyachal Yadav son of late Bishwanath Yadav
 2. Bhirgu Yadav son of Vindhyachal Yadav both residents of village Paukauli, P.S. Ramgarh, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in connection with Ramgarh P.S. Case No. 290 of 2015 registered for offences punishable under Sections 341, 323, 354, 506, 307, 379/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons tied the neck of the informant with intention to kill her and they also snatched her golden chain and Rs. 40,000/-.

It has been submitted by the counsel for the petitioners that petitioner no.1 is the elder brother of the informant's husband and petitioner no.2 is the son of petitioner no.1. Both the parties are own family members and dispute has arisen on account of

partition of ancestral land. In fact, mother of petitioner no.1 had received some land in partition which was cultivated by the petitioners, but due to bad relation of the informant with her mother-in-law and in order to grab the land of the mother of petitioner no.1, this false allegation has been levelled against the petitioners. It has further been submitted that the injuries have been found to be simple in nature and no case under Section 307 of the Indian Penal Code is made out against them.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report and hence, opposes the prayer for bail.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Ramgarh P.S. Case No. 290 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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