

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25500 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -THAWE District- GOPALGANJ

- =====
1. Kamlesh Yadav son of Balister Yadav
 2. Kishore Yadav son of Mosafir Yadav
 3. Balister Yadav son of Late Dhorha Yadav alias Dora Yadav
 4. Panmati Devi W/o Shankar Yadav All R/o Village- Paithan Patti, P.S.- Thawe, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. Manoj Kumar I (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 341, 323, 447, 307, 379. 504, 506/34 of the Indian Penal Code

Prosecution case is that seven accused persons including the petitioners came variously armed. When petitioner no.1 Kamlesh Yadav assaulted by sword on the head of the informant, others also made assault to the informant. They also abused and threatened him and took away the house hold articles.

It is submitted by the learned counsel for the petitioners that the accusation of assault is specific only against petitioner no.1 Kamlesh Yadav. The informant has received one lacerated

injury on the left side of frontal region of scalp and the other swelling over posterior side of right leg. Both the injuries have been found to be simple in nature caused by hard and blunt substance. Petitioner no.4 Panmati Devi had lodged Thawe P.S.Case No. 170/2015 levelling accusation under section 341, 383, 324, 504, 506 of the Indian Penal Code against the son of the informant. Statement has been made in paragraph 3 of the application that the petitioners have no criminal antecedent.

Considering the fact that the accusation will not corroborate with the medical opinion and the present case has been lodged by the informant in retaliation to the case lodged by petitioner no.4, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released 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 Chief Judicial Magistrate, Gopalganj in Thawe P.S.Case No. 7/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Surendra/-

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