

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28708 of 2016

Arising Out of PS.Case No. -223 Year- 2014 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Vinod Yadav, Son of Late Prasadi Yadav
2. Anirudh Yadav
3. Ashok Yadav @ Ashok Kumar Both Son of Vinod Yadav All are
resident of Village- Shahpur, P.S.- Rajgir, District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ambika Bhagat, Advocate.

For the Opposite Party : Mr. Gauri Shankar Gupta, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

The petitioners apprehend their arrest in Rajgir P.S.
Case No. 223 of 2014 registered for the offences punishable under
Sections 307, 379 and some other Sections of the Indian Penal
Code.

The informant named the petitioners along with other
accused persons and alleged that Bijendra Yadav assaulted the
informant with Pharsa on his head. Vinod Yadav petitioner no. 1 is
alleged to have assaulted with Pharsa on the leg of the informant.

Learned counsel for the petitioners submits that the
informant got as many as four injuries on different parts of his
body but there is no injury on the leg of the informant. There is no

allegation of assault against Ashok Yadav @ Ashok Kumar, petitioner no. 3 and Anirudh Yadav petitioner no. 2. Petitioner no. 2 and 3 are alleged to have armed with pistol but no firing was made. There is a land dispute between the parties and the informant and the petitioners are descendants of the same ancestors.

Considering the facts aforesaid and the fact that Vinod Yadav is, of course, alleged to have assaulted the informant with Pharsa on his leg, but no corresponding injury was found on the leg of the informant and there is no allegation of assault against petitioner no. 2 and 3, the petitioners above named, in the event of their 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, are 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 Sub-Divisional Judicial Magistrate, Nalanda at Biharsharif in Rajgir P.S. Case No. 223 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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