

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42927 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -PANAPUR District- SARAN

- =====
1. Upendra Prasad Yadav @ Upendra Singh S/o Harendra Rai
 2. Juamn @ Binod Kumar Yadav @ Juman Rai S/o Harendra Rai Both are residents of Village - Moriya Purab Tola, P.S. - Panapur, District - Saran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-12-2016 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Panapur P.S. Case No. 83 of 2016 for the offences instituted under Sections 302, 323, 341, 147, 148 and 149 of the Indian Penal Code.

The allegation against the petitioners is that he along with other co-accused after making unlawful assembly, surrounded the brother of the informant and assaulted him with an intention to kill him, due to which his brother seriously injured and thereafter he was taken to hospital for treatment but during course of treatment, he died.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The specific allegation has been made against co-accused Ambika Rai, Nagendra Rai and Harendra Rai, who are said to have caught, hold of the deceased and co-accused Sonu Rai is said to have given a *farsha* blow on the head of the deceased. No overt act or injury has been attributed against the petitioners, as far as the deceased is concerned.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Panapur P.S. Case No. 83 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-4th, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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