

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37552 of 2016

Arising Out of PS.Case No. -169 Year- 2016 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

- =====
1. Umesh Yadav son of Arjun Yadav
2. Binod Yadav Son of Arjun yadav Both Residents of Village- Amba, P.S
Rahuai, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-09-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehends arrest in connection with Rahui
(Bhagan Bigha) P.S Case No. 169/2016 for offences alleged under
Sections 147, 149, 341, 323, 332, 353, 337, 338, 307,504 and 506
of the Indian Penal Code.

The prosecution case as lodged by the police personnel is
that there was a dispute regarding cutting of palm tree for which
two group of villagers were pelting stones on each other. When
the police reached at the place of occurrence, several persons
started pelting stones on the police personnel and accused persons
Vikash Kumar and Ajab Yadav throw stones, which hit the
informant and he was badly injured. It was submitted by the
learned counsel for the petitioners that they are innocent and have

falsely been implicated in the aforesaid case. He submits that no case under Sections 353 and 307 of the Indian Penal Code made out against them and they have no criminal history as is evident from para-3 of this application. He submits that there was stone pelting from both side and there was a mob attack and the allegations are general and omnibus.

However, learned APP for the State Submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since there was a mob attack and the allegations are general and omnibus, 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 bond of Rs. 10,000/-(Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui (Bhagan Bigha) P.S. Case No. 169/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--