

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.350 of 2016

Arising Out of PS.Case No. -189 Year- 2015 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bishesher Yadav
2. Jaleshwar Yadav both are son's of Late Asharfi Yadav resident of
village- Bhopatpur P.S.- Kotwa District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. S.Ehteshmuddin(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 07-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections
341,324,307,120B and 447 of the Indian Penal Code.

It is alleged that the petitioners assaulted
indiscriminately to the informant with the sharp cutting weapon
(kharia).

It is submitted by the learned counsel for the petitioners
that for the occurrence of 24.8.2015 the written report was
submitted on 25.8.2015 which came to be registered as police case
on 1.9.2015. The informant was examined by a private doctor and
the injury report suggests two injuries of marginal size simple in

nature. The injured was admitted for treatment on 25.8.2015 at 10.23 hours and the medical report suggest that the injury was caused within six hours whereas the occurrence took place on 24.8.2015. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed registration of FIR and the delayed medical examination of the injured by a private doctor which clouds the bonafide of accusation, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Motihari, East Champaran in connection with Kotwa (Bhopatpur) P.S. Case No.189 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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