

Arising Out of PS.Case No. -119 Year- 2014 Thana -GAMAHARIYA District- MADHEPURA

.... Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Opposite Party/s : Mr. Rita Verma(App)

Learned counsel for the petitioners submits that though there is case and counter case between the parties, the main allegation of having inflicted a blow on the informant is by one Subhash Yadav. It is alleged that Subhash Yadav assaulted the



informant Shambhu Yadav with iron rod which led to serious injury. He further draws my attention to an order dated 29.01.2016 passed in Criminal Misc. No. 4072 of 2016 by which Subhash Yadav has been extended the privilege of anticipatory bail by a Bench of this Court. Similarly, three other co-accused persons, whose situation is identical as to that of the petitioners,, have also been extended the privilege of anticipatory bail by order dated 18.01.2016 vide Criminal Misc. No. 2210 of 2016.

Learned counsel for the informant, however, vehemently opposed the prayer and submitted that the petitioners are having criminal antecedents and three of them have been convicted to undergo rigorous imprisonment for life. However, he admits that they have been extended the privilege of bail. Learned counsel for the informant further submits that the injuries purported to have been inflicted have been found to be dangerous to life.

Considering the entire facts and circumstances of the case and noting the allegation as made out in the first information report that it was co-accused Subhash Yadav who had attacked the informant with iron rod causing serious injury on his head and not these petitioners and also because of the fact that other similarly situated accused persons have been extended the

privilege of anticipatory bail from this Court, the petitioners above named, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Gamharia P.S. Case No. 119 of 2014 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Anjana Mishra, J)

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