

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20397 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -BARAULI District- GOPALGANJ

=====

1. Janardhan Yadav @ Janardan Yadav Son of lat Bhagwat Rai
2. Harkesh Yadav@Harikesh Yadav Son of Janardhan Yadav
3. Munna Yadav son of Janardhan Yadav
4. Madan Yadav Son of Janardan Yadav
5. Kiran Kumar Daughter of Janardhan Yadav
6. Hosila Devi wife of Harkesh Yadav
7. Manju devi Wie of Harkesh Yadav
8. Kiran Devi@Kiran kumari Wife of Munna Yadav
9. Priyanka Devi wife of Akhilesh Yadav All are resident of villae-
Madhopur Police station baraulio, (Madhopur O.P) District Gopalganj.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323 and 307 of the Indian Penal Code.

The prosecution case is that nine accused persons made assault to the informant. On alarm being raised, when cousin of the informant, Deonath Yadav, and Reena Devi, brother's wife, came to rescue they were also assaulted by Lathi, stick and other sharp cutting weapons. It is specifically alleged that on 24.06.2015 the accused persons made murderous attack on the family members of the informant for which Barauli P.S. case No. 104 of

2015 has been lodged and a proceeding under section 107 of the Cr. P.C. is also pending between the parties.

It is submitted by the learned counsel for the petitioners that accusation of assault is omnibus and general against nine accused persons and only one injury of the informant has been found to be grievous. There is counter version in which petitioners' side have also received injuries. The petitioners have no criminal antecedent except petitioner No.2, Harkesh Yadav, and petitioner No.3, Munna Yadav, who are accused in Barauli P.S. case No. 104 of 2015 lodged by the informant side.

Considering that accusation of assault is omnibus and general, there being counter version of the occurrence, 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) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj in connection with Barauli (Madhopur O.P.) P.S. Case No. 38 of 2016 (G.R. No. 505/2016) subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

BKS/-

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