

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20079 of 2016

Arising Out of PS.Case No. -396 Year- 2015 Thana -DHANARUA District- PATNA

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1. Sappu Yadav @ Sappu,
2. Birendra Yadav @ Birendra Prasad
3. Lali Kumar @ Lali
4. Muchun Kumar Muchhun
All are sons of Vijay Yadav, resident of Village- Bhayeepur, P.S.-
Dhanarua, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

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

The petitioners being the agnates of the informant are apprehending their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

The prosecution case is that on 13.10.2015 at 2.00 P.M. the informant along with his wife was cutting soil for installation of pump set on his land. In the meantime accused persons came and started abusing them. On protest being made co-accused Vijay Yadav assaulted the informant, causing injury on his head.



When petitioner no. 1, Sappu Yadav @ Sappu assaulted the informant with khanti, causing fracture on left hand. Petitioner no. 4 Muchkun Kumar @ Muchkun also assaulted the informant with khanti on the left hand. Petitioner no. 2 Birendra Yadav @ Birendra Prasad and Petitioner no. 3 Lali Kumar @ Lali also assaulted the informant and took away gold ear ring of the wife of the informant. When mother of the informant came to rescue, the accused persons also assaulted her.

It is submitted by the learned counsel for the petitioners that informant has received two lacerated injury and complain of pain and swelling. The injury report does not suggest any injury on the left hand, whereas petitioner nos. 1 and 4 alleged to have assaulted on the left hand of the informant. There is counter version of the occurrence and the petitioners' sides have also received injury. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri Hare Ram, J.M., Ist Class, Masuarhi, Patna in connection with Dhanarua P.S.

Case No. 396 of 2015, subject to conditions as laid down under
Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)