

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39684 of 2016

Arising Out of PS.Case No. -97 Year- 2016 Thana -HARLAKHI District- MADHUBANI

- =====
1. Ram Dayal Yadav, son of Gudari Yadav,
 2. Ram Babu Yadav, son of Gudari Yadav,
 3. Ram Bilash Yadav, son of Das Rath Yadav,
- All residents of Village – Pachgachhiya, P.S. Harlakhi, Distt. Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2016 Heard both sides.

The petitioners, namely, Ram Dayal Yadav, Ram Babu Yadav and Ram Bilash Yadav, apprehend their arrest in Harlakhi P.S. Case No. 97/2016 registered under Sections 147, 149, 341, 324, 379 and 504 of the Indian Penal Code.

Satya Narayan Yadav, the informant, alleged that while he was returning after attending the call of nature, he saw his co-sharers Ram Dayal Yadav (petitioner no. 1), Ram Ekbal Yadav, Ram Udgar Yadav, Ram Baby Yadav (petitioner no. 2), Manish Yadav and Ram Bilash Yadav (petitioner no. 3) were



uprooting the pillars fixed in his field. When the informant enquired about the reason, Ram Dayal Yadav (petitioner no. 1) began to abuse the informant and the accused persons started assaulting him with sticks, fists and slaps. Ram Ekbal Yadav is said to have assaulted the informant with Farsa on his head. When the brothers of the informant Surya Narayan Yadav and Deo Narayan Yadav came to save the informant, the accused persons also assaulted them with sticks, fists and slaps. It is submitted that there is no specific allegation of assault against the petitioners. The informant Satya Narayan Yadav got one grievous injury, the author of which is Ram Ekbal Yadav. Satya Narayan Yadav also got one grievous injury on Metacarpal bone, but there is omnibus and general allegation of assault. There is a counter version also.

Learned counsel for the informant and learned A.P.P. have, however, opposed the prayer for anticipatory bail but could not be able to point out any specific allegation against the petitioners.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Benipatti, Madhubani in Harlakhi P.S. Case No. 97/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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