

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15455 of 2016

Arising out of PS.Case No. -237 Year- 2015 Thana -SIRDALA District- NAWADA

1. Lalo Yadav.  
2. Ranjit Yadav @ Mukhiya Ji. Both Sons of Kameshwar Yadav.  
3. Rajesh Yadav.  
4. Uday Yadav.  
5. Muna Yadav. All Sons of Surendra Yadav, All residents of village -  
Kharaudh, P.S. - Sirdala, District - Nawada.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioners : Mr. Rajeev Nayan, Advocate.  
For the Opposite Party : Mr. Md.Sufiyan (App)

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
ORAL ORDER

2      02-05-2016      It has been submitted on behalf of learned counsel for the petitioners that the petitioner no. 2, namely, Ranjit Yadav @ Mukhiya Ji has been arrested. Hence, he may be permitted to withdraw the application for anticipatory bail on behalf of petitioner no. 2.

Accordingly, the application for anticipatory bail on behalf of petitioner no. 2, above named, has become infructuous.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sirdala P.S. Case No. 237 of 2015 for the

offences instituted under Sections 147, 148, 149, 448, 341, 323, 324, 325, 307, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 19.12.2015 at about 6.00 A.M. all accused persons alongwith co-accused Ramcharitar Yadav and Surendra Yadav armed with weapons came at the house of the informant and started utter that the informant will get no share in the Truck rather the accused will distribute it among us and also abused. When the informant's wife tried to persuade them then co-accused Surendra Yadav abused and assaulted her with *Lathi* as a result of which she sustained injury on the armpit, fractured and fallen on the ground. When the informant's daughters came to rescue their mother then co-accused Ramcharitar Yadav assaulted with *Garasa* causing injury on their head and oozing blood. Petitioners assaulted the wife and daughters of the informant with *Lathi* and *Danda* as a result of which they received several injuries. All the accused persons also assaulted the informant by entering into his house. Co-accused Kameshwar Yadav ordered to kill the whole family of the informant. Thereafter the accused persons fled away.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is admitted

enmity between the parties. The nature of injury is simple. Hence, no offence under Section 307 IPC is attracted in the present case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, except petitioner no. 2 Ranjit Yadav @ Mukhiya Ji, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Sirdala P.S. Case No. 237/2015 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 A.C.J.M.,-V, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**