

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14487 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -NAUTAN District- SIWAN

- =====
1. Birendra Yadav
2. Upendra Yadav, Both sons of Dina Chaudhary @ Dina Nath Yadav,
Resident of village- Mathiya Ke Tola P.S. Nautan, Dist.- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Madhuri Lata
For the Opposite Party/s Mr. Ramesh Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.04.2016 Heard learned counsel for the petitioners as well as learned
Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under section 302,
307 and other allied sections of the Indian Penal Code.

Petitioners and two others are named in the first
information report with accusation that they assaulted the informant as
well as his other family members including mother of the informant as
a result whereof informant and his family members sustained injuries
and in course of treatment, mother of the informant died.

Learned counsel for the petitioners submits that co-
accused Rakesh Yadav and Ranjan Yadav, having more or less similar
allegation, have already been granted privilege of bail. It is further
contended by him that a free fight took place between the parties due
to disputed tree and in the aforesaid free fight persons from both sides

sustained injuries and moreover, mother of the petitioner lodged Nautan PS. Case no 53/2015 against the prosecution party.

The impugned order of Addl. Sessions Judge corroborates the aforesaid fact. Moreover, it would appear from perusal of the impugned order that deceased sustained one head injury but it is not clear who caused the aforesaid injury to the deceased because omnibus allegation of assault against the petitioners and two others has been levelled.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in Nautan P.S. Case no. 52/2015.

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(Hemant Kumar Srivastava,J)

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