

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2601 of 2016

Arising Out of PS.Case No. -225 Year- 2014 Thana -SONBERSA District- SAHARSA

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1. Gajendra Yadav Son of Saryug Yadav,
2. Abhinandan Yadav, Son of Late Sikandra Yadav,
3. Chandan Yadav @ Chandan Kumar, Son of Late Sikandra Yadav, All
resident of village - Dumra, Police Station - Sonbarsa Raj, District -
Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 147, 148, 149, 323, 324, 447, 307 and 379 of the Indian Penal Code.

The prosecution case is that the accused persons came variously armed on the land of the informant and started digging soil. On protest being made, petitioner No.1, Gajendra Yadav, assaulted the informant with Farsa thereafter other accused persons also assaulted the informant with spade and Lathi. On alarm being raised by the informant when his brother came in rescue, he was also assaulted by the accused persons with Lathi and stick. Abhinandan Yadav snatched Rs. 5050/- from the pocket

of informant while Babita Devi and Meera Devi took away Rs. 500/- and Nokia mobile from the brother of informant. Accused Sayug Yadav and Chandan Yadav snatched a golden chain worth Rs. 15000/- from the wife of the informant.

It is submitted by the learned counsel for the petitioners that except one injury on the informant all other injuries have been found to be simple in nature. There is counter version of the occurrence in which petitioners' side also received injuries. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the specific accusation against petitioner No.1, Gajendra Yadav, let the learned court below consider the prayer for regular bail of the petitioner No.1 in case he surrenders within six weeks from today in connection with Sonbarsa Raj P.S. case No. 225 of 2014 pending in the court of Sri S. K. Jha, learned Judicial Magistrate, 1st class, Saharsa.

So far as petitioners No.2 and 3 are concerned, the accusation against them is omnibus and there is a counter version, let the above named petitioners No.2 and 3 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 Sri S. K. Jha,
learned JM, 1st class, Saharsa in connection with Sonbarsa Raj P.S.
Case No. 225 of 2014 subject to the conditions as laid down
under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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