

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24326 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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1. Shailesh Yadav, Son of Rajendra Yadav,
 2. Umesh Yadav, Son of Kedar Yadav,
 3. Manoj Yadav, Son of Kedar Yadav,
 4. Pintu Yadav, Son of Lakhan Yadav,
 5. Mukhdeo Yadav, Son of Musafir Yadav,
 6. Nandlal Yadav, Son of Musafir Yadav, null
 7. Mukesh Yadav, Son of Awadhesh Yadav, null
 8. Anil Yadav, Son of Bindeshwar Yadav,
 9. Vinay Yadav, Son of Bindeshwar Yadav,
 10. Sudhir Yadav, Son of Shiv Yadav,
 11. Shaligram Yadav @ Saligram Yadav, Son of Sudip Yadav, null
 12. Sikandar Yadav, Son of Kishore Yadav, All residence of Village- Jhikatia, P.S. Muffasil, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379 and 448 of the Indian Penal Code, section 3(1)(v)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and 27 of the Arms Act.

Prosecution case is that on 18.03.2016, at about 8.30



A.M. there was exchange of words between Mina Devi, cousin mother-in-law of the informant and accused persons. In the meantime started pelting bricks and stones on her. When the informant and her two sons came to rescue then all the F.I.R named accused persons variously armed entered into the house of the informant and started assaulting. The accused persons took away ornaments from the house of the informant. The accused persons used to abuse the informant by calling caste name. It is also alleged that co-accused Pradip Yadav resorted to fire.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general. There is counter version of the occurrence also and the injuries have been found to be simple in nature.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Muffasil P.S. Case No. 61 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners shall be confirmed by the learned court below on verification of the fact that informant's side have not received any grievous injury, but if it is found that the informant's side received grievous injury, then the petitioners shall surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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