

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25404 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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1. Birendra Yadav Son of Sri Rajendra Yadav
 2. Prahalad Yadav @ Prahlad Yadav Son of Sri Sudani Yadav
 3. Baleshwar Yadav Son of Sri Sudani Yadav
 4. Kabindra Yadav Son of Surajdeo Yadav
 5. Rajesh Yadav Son of Kabindra Yadav
 6. Bablu Yadav Son of Sri Lakhan Yadav
 7. Butta Yadav Son of Sri Lakhan Yadav
 8. Birendra Yadav Son of Surajdeo Yadav
 9. Bhuwan Yadav Son of Sri Shyam Bihari Yadav
 10. Upendra Yadav Son of Late Chandrika Yadav
 11. Mundrika Yadav Son of Sri Ramdas Yadav
 12. Rajendra Yadav Son of Sri Nanhaku Yadav
 13. Lalu Yadav Son of Sri Lakhan Yadav
 14. Shambhu Yadav Son of Nanhak Yadav @ Shyam BihariYadav
 15. Jagdeo Yadav @ Sanjay Yadav Son of Ram Prasad Yadav All are
resident of village- Bajitpur, P.S.- Makhdumpur, District- Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-06-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 447, 307, 384 of the Indian Penal Code.

The prosecution case is that in the background of land dispute on 25.02.2016 at 9:00 P.M all the F.I.R named accused persons including the petitioners were cutting mustered crop from the field of the informant. On protest being made, petitioner No. 15 namely Jagdeo Yadav @

Sanjay Yadav inflicted garasa blow on the head of the informant's sister-in-law(Bhabhi) as a result she received injury on her head and when the informant went to rescue his sister-in-law then petitioner No. 14 Shambhu Yadav assaulted on the head of the informant with Garasa and other accused persons also assaulted with lathi.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The informant has received three lacerated injuries of superficial in nature caused by hard and blunt substance, whereas specific case is that the petitioner No. 14 assaulted with garasa, a sharp cut weapon. The sister-in-law of the informant received only one lacerated injury on the parietal region though opinion has been kept reserved. There is counter version of the occurrence and two persons from the petitioners' side also received injuries.

Considering the specific accusation of assault against petitioner No. 15 namely Jagdeo Yadav @ Sanjay Yadav, let learned Court below consider the prayer for regular bail of petitioner No. 15 namely Jagdeo Yadav @ Sanjay Yadav, if he surrenders within a period of six weeks in connection with Makhdumpur P.S. Case No. 44 of 2016, pending in the Court of learned Chief Judicial Magistrate, Jehanabad.

So far as petitioner Nos. 1 to 14, above named are concerned, since the only accusation is against

petitioner No. 14 but the accusation is not being corroborated with the medical opinion, let the petitioner Nos. 1 to 14, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P.S. Case No. 44 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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