

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41136 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -PAUTHU District- AURANGABAD

- =====
1. Ramakant Yadav Son of Late Dudheshwar Yadav
 2. Ramanuj Yadav Son of Late Dudheshwar Yadav
 3. Bebi Devi Wife of Sri Kant Yadav
 4. Sangeeta Devi Wife of Vijay Yadav All residents of Village - Birua, P.S. Pauthu, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 17-11-2016

Heard both sides.

The petitioners apprehend their arrest in Pauthu P.S. Case No. 48/2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

The informant Krishna Yadav named five persons including the petitioners Ramakant Yadav, Ramanuj yadav, Bebi Devi and Sangeeta Devi and alleged that Vijay Yadav entered into his house and dragged him outside the house and ordered to kill him. On such, Ramakant Yadav and Ramanuj Yadav Petitioner nos. 1 and 2 are alleged to have assaulted the informant with iron rod on his head and when Sudama Yadav (brother of the informant) came to save the informant, Ramakant Yadav and Ramanuj Yadav are alleged to have assaulted Sudama Yadav.

Learned counsel for the petitioners submits that there is no allegation of assaulted against petitioner nos. 3 and 4. One lacerated injury was found on the head of Krishna Yadav and four injuries were found on the person of Sudama Yadav. The opinion was kept reserved but till date opinion has not been received. It is submitted that the occurrence took place due to ancestral property.

Learned Additional P.P. submits that he had informed the S.P., Aurangabad for transmitting final injury report but the S.P., Aurangabad did not send the final injury report.

Considering the facts aforesaid and the fact that no injury report is received as yet, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 Chief Judicial Magistrate, Aurangabad in connection with Pauthu P.S. Case No. 48/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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