

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20023 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -INARWA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Vinod Yadav @ Binod Yadav Son of Gopi Yadav
 2. Madan Yadav Son of Saryug Yadav
 3. Dukhi Yadav Son of Ram Lakhan Yadav
 4. Baban Yadav son of Babu Lal Yadav All Resident of Village: Njajhari
PS Inerwa, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307,379 and 509/34 of the Indian Penal Code.

The prosecution case is that six FIR named accused persons including the petitioners surrounded the informant. On the order of petitioner no. 3 Dukhi Yadav, petitioner no. 1 Vinod Yadav assaulted with farsa causing cut injury on the head of the informant. Thereafter petitioner no. 2 Madan Yadav assaulted on the head of the informant with lathi and thereafter other accused persons also assaulted him. It is alleged that rupees ten thousand

was snatched by petitioner no. 3 Dukhi Yadav. The informant has received three lacerated injuries of marginal size superficial and simple in nature on scalp caused by hard and blunt substance whereas petitioner no. 1 is alleged to have assaulted with farsa.

It is submitted by learned counsel for the petitioners that for the occurrence of 11.9.2015 the FIR has been registered on 17.9.2015 and there is counter version of the occurrence. Statement has been made in paragraph 3 of the petition that petitioners have no criminal antecedent except petitioner no. 4 Baban Yadav being accused in Inerwa P.S. Case No. 2981 of 2015.

Considering the delayed lodging of the case, the accusation not being corroborated with the medical opinion and there being a counter version of the occurrence, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Inerwa P.S. Case No.37 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner no. 4 Baban Yadav will be released

on anticipatory bail only if it is found on verification by the learned court below that he is already on bail in Inerwa P.S. Case No. 2981 of 2015 but if the learned court below finds that petitioner no. 4 is not on bail in the earlier case, in that event he will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Anil/-

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