

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25055 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -SHANKARPUR District- MADHEPURA

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1. Nunulal Yadav @ Bijendra Yadav
 2. Tarni Yadav Both the son of Late Anant Yadav resident of village - Lahi, Police Station Shankarpur, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-06-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 354, 504, 506, 34 of the Indian Penal Code.

The prosecution case is that all the accused persons including the petitioners came variously armed at the house of the informant after consuming liquor and started abusing. On protest being made, petitioner No. 1 Nunulal Yadav caused injury with spade on the head of the informant and when the wife of the informant came to rescue then co-accused Chandan Yadav assaulted her with iron rod on her head as a result the informant and his wife fell down and thereafter all the accused persons assaulted them with fists. It is alleged against co-accused Nandani Devi that she took out silver chain from the wife of the informant.

It is submitted by learned counsel for the

petitioners that for a petty dispute the accusation has been levelled. In fact, neither the informant nor his wife received any injury. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“That really no any injury was received either informant or any other persons”

It is further submitted that informant has retracted from the initial version and has filed a petition to that effect before learned Court below.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, 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, Madhepura in connection with Shankarpur P.S. Case No. 126 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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