

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35707 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -BHADWAR District- GAYA

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1. Bihari Yadav Son of Sukhdeo Yadav
 2. Sanjay Yadav Son of Sukhdeo Yadav
 3. Banwari Yadav Son of late Rupchand Yadav
 4. Ranjit Yadav Son of Banwari yadav All Resident of Village- Tandwa tola, Bujhrata, P.S. Bhadwar, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-09-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,325,326,307,452,379 and 504/34 of the Indian Penal Code.

The prosecution case based on the written report of informant Rinku Devi dated 14.4.2016 is to the effect that on 11.3.2016 at 12.30 PM all the accused persons came armed with lathi, tangi, entered into the house and assaulted the father in law, mother in law and husband as well as the informant. The motive of the occurrence was that the cattle of the informant side entered

into the crop field of the petitioners for which information was given to the police.

It is submitted by the learned counsel for the petitioners that for the occurrence of 11.3.2016 the written report was submitted on 14.4.2016 whereas the petitioners side lodged Bhadwar P.S. Case No. 3 of 2016 making accusation under sections 341,323,324,325,326,307,504 and 506/34 IPC on 11.3.2016 itself. From the informant side three persons received injuries out of which Ganauri received two injuries but the injury no. 1 has been found to be grievous caused by sharp cutting weapon whereas the other two injured from the informant side Pradeep and Samundri Devi received simple injuries. The injured from the informant side were examined on 12.3.2016 itself hence there was no cause for lodging the FIR after one month of the occurrence. From the petitioners side also three persons received injuries out of which Ajay Yadav received three grievous injuries. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the case, the case lodged by the petitioners side at earlier point of time and the petitioners side received three grievous injuries, 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 JM Ist Class, Sherghati, Gaya, in connection with Bhadwar P.S. Case No.8 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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