

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13854 of 2016

Arising Out of PS.Case No. -441 Year- 2015 Thana -JAHANABAD District- JEHANABAD

- =====
1. Anuj Yadav Son of Kapil Yadav
 2. Pappu Yadav @ Sanjeev Kumar Son of late Surendra Yadav
- Both are resident of Village- Bairagibag, PS & District Jehanabad,

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Jehanabad P. S. Case No.441 of 2015 registered under Sections
147, 148, 149, 323, 341, 324, 325, 307 and 504 of the Indian
Penal Code.

It is contended that though the petitioners are alleged
to be armed with *farsa* and *sword*, the injury reports would
indicate that all the injured had sustained injuries caused by
hard and blunt substance. It is further contended that from
perusal of the FIR, it would appear that the members of the
prosecution party were aggressor and they had tried to stop the

construction work being undertaken by the petitioners' family.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners. He has submitted that several persons have sustained injuries caused by hard and blunt substance. There is allegation that several other accused persons were armed with *lathi* and thus the participation of the petitioners in the alleged offence cannot be ruled out.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in Jehanabad P. S. Case No. 441 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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