

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54584 of 2015

Arising Out of PS.Case No. -173 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

- =====
1. Rabindra Yadav Son of Hari Kishun Yadav
 2. Hari Kishun Yadav Son of Late Suraj Yadav Both Resident of Village-Sonepur, P.S.- Udwant Nagar, District- Bhojpur at Ara (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Smt. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 08-03-2016 Heard counsel for the petitioners and Mr. Dayal

A.P.P. for the State.

Petitioners are the son and father. They are named

accused in Udwant Nagar P.S. Case No. 173 of 2015 registered

under Sections 341, 323, 307, 325 and 34 of the Indian Penal

Code.

Allegation against the petitioner no.1 is that he

assaulted with Kudal on head of the informant causing injury

which according to the doctor was simple in nature. Petitioner No.

2 who is aged about 70 years is said to have assaulted the

informant with crutch.

The doctor found simple injury on the non vital part

Learned A.P.P., on the other hand, opposes the prayer and submitted that petitioner no.1 assaulted the informant on head by Kudal which is a dangerous weapon.

Considering the facts and circumstances of the case, the prayer for bail on behalf of petitioner no.1 is rejected. He may surrender and seek regular bail.

In the facts and circumstances of the case, let the petitioner no.2, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in P.S. Case No. 173 of 2015 on condition that one of the bailors shall be his own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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