

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30949 of 2017**

Arising Out of PS.Case No. -361 Year- 2016 Thana -TEKARI District- GAYA

- =====
1. Shyam Nandan Yadav Son of Brahamdeo Yadav
  2. Brahamdeo Yadav Son of late Chander Yadav
  3. Ramashish Yadav Son of late Ram Krit Yadav All resident of Village English Par, P.S. Tekari (Mau), District- Gaya.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Ramashish, Advocate  
For the informant : Mr. Shubhesh Pandey, Advocate  
For the Opposite Party : Mr. Sri Prem Kumar Jha (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

3      19-08-2017                      Heard learned counsel for the petitioners, leaner counsel  
for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Tekari P.S. Case No. 361 of 2016, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 448, 307, 379 and 504 of the Indian Penal Code.

The learned counsel for the petitioners submits that there is case and counter case, there was free fight between the parties, both sides have received injuries, from injury reports it reveals that no injury dangerous to life has been found on the person of any injured, there was no intention to commit murder so offence under Section 307 of the I.P.C. is not made out, allegation



under Section 379 I.P.C. is super addition and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya, in connection with Tekari P.S. Case No. 361 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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