

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11444 of 2017

Arising Out of PS.Case No. -45 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Sanjay Yadav, son of Ramadhar Yadav,
2. Dharmendra Kumar Yadav @ Dharmendra Yadav, son of Sanjay Yadav,
Both are resident of Village- Lakrakol, P.S.- Pirpainty, District- Bhagalpur.
..... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sri Harendra Prasad, A.P.P.

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

3 29-03-2017 A supplementary affidavit has been filed annexing the

injury report of Sudhir Kumar Yadav, the brother of the informant. Let

it be kept on record.

Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection
with Pirpainty P.S. Case No. 45 of 2015 registered for the offences
punishable under Sections 147, 149, 447, 341, 323, 307 and 504 of the
Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, the petitioners and other co-accused persons
started abusing the sister of the informant and when the informant
protested the petitioner Sanjay Yadav gave lathi blow and caused
injury. Sister Sita Kumari was assaulted by Gorakh Yadav, Sanjay
Yadav, Pappu Kumar and Rina Devi when Sudhir Kumar Yadav came
for rescue he was assaulted by them and his five fingers were cut. The



father of the informant was also assaulted and injured.

Submission is of false implication that there is case and counter case, now good sense has prevailed between the parties and joint compromise petition has been filed in the court below vide Annexure-7. Other co-accused persons Gorakhnath Yadav @ Gorakh Yadav, Pappu Yaav @ Pappu Kumar Yadav and Gautam Kumar Yadav have been allowed pre-arrest bail vide Criminal Miscellaneous No. 11387 of 2016 and, as such, the petitioners also deserve sympathetic consideration. The injuries received by the brother of the informant are pain and swelling and no cut injury has been found. Both sides have received injury.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bhagalpur in connection with Pirpanti P.S. Case No. 45 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

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