

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5170 of 2017

Arising Out of PS.Case No. -309 Year- 2016 Thana -MALSALAMI District- PATNA

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1. Rinku Yadav, Son of Late Ram Chandra Yadav,
2. Vijay Yadav, Son of Late Ram Chandra Yadav, Both are residents of
Mohalla - Noorpur Patna City, P.S. Malsalami, District - Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-03-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Malsalami P.S. Case No. 309 of 2016, registered under
Sections 341, 323 and 307/34 of the Indian Penal Code.

The accusation is that, on 01.12.2016, when the
informant was going to Bhatti to purchase some articles, in the
way, both petitioners with intention to kill him started to carry
him. On raising alarm, the neighbours rushed there then both
petitioners succeeded to flee away. The cause of occurrence is due
to old enmity.

Learned counsel for the petitioner submits that, in fact,



Dharmendra Kumar, brother of both petitioners, lodged Malsalami P.S. Case No. 307 of 2016, under Sections 147, 149, 323, 325 and 379 of the Indian Penal Code, against the informant of the present case and four others due to that reason the present case has been lodged with false allegation. Further submission is that petitioner has no criminal antecedent and only one injury was found on the person of the informant, which is simple in nature caused by hard and blunt substance.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Patna City, Patna, in connection with Malsalami P.S. Case No. 309 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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