

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12766 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -WARSALIGANJ District- NAWADA

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Rup Yadav, son of Late Fagu Yadav, resident of Village- Kolha Bigha,
Police Station- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-04-2017 Heard both sides.

The petitioner apprehends his arrest in Warisaliganj

P. S. Case No. 112 of 2016 registered for the offences under
Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

The informant alleged that while he was removing
the soil by the side his house situated near the house of Krishna
Yadav, Krishna Yadav, Rup Yadav (the petitioner) and Shambhu
Yadav having armed with weapon came and Krishna Yadav
assaulted the informant in which the informant sustained injury.
The petitioner is alleged to have assaulted the family members of
the informant.

It is submitted that the informant did not show the
name of his family members. Krishna Yadav has already been



enlarged on anticipatory bail vide order passed in Cr. Misc. No. 48138 of 2016. The case of the petitioner stands on better footing. There is a counter version.

Considering the facts aforesaid and that there is a case and counter case for removing soil in which both sides entered into scuffle and assaulted, Krishna Yadav against whom there is specific allegation of assault has already been enlarged on bail, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in Warisaliganj P. S. Case No. 112 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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