

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23091 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -KURTHA District- JEHANABAD

=====

1. Azad Yadav,

2. Akhilesh Yadav, Both Sons of Late Ram Pravesh Yadav, resident of Village Repura P.S. Kurtha (Manikpur O.P.) District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Kurtha (Manikpur) P.S. Case No. 17 of 2017 instituted for the offence under Section-307 & other minor sections of the Indian Penal Code.

As per written report, there is allegation against these petitioners of assaulting the informant and his son with Khanti and iron rod, causing injury on their head, as a result of which, they became unconscious and fell on the ground. The informant further alleged that the other accused persons named in the written report, have caused injury to other family members of the informant.

The injury report of the informant and his son is enclosed with the written report as Annexure-3. From perusal of the injury report, it appears that the doctor has found lacerated wound on frontal part of scalp of informant and lacerated wound



on middle portion of scalp of son of the informant. The opinion, regarding the injury was kept reserved.

It has been submitted that there has been free fight between the parties and defence side also filed a case bearing Kurtha (Manikpur) P.S. Case No. 18 of 2017 for the occurrence of the same day wherein, the persons from defence side also sustained injuries.

In this manner, it appears from the written report of this case as well as of counter case that there has been free fight between the parties and both sides sustained injuries. The informant and his son sustained injury on the head as lacerated wound of scalp, and the opinion, regarding the injury was kept reserved by the doctor.

Therefore, this court does not find it a fit case for grant of anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail stands rejected.

The petitioners are directed to surrender in the court below and seek regular bail which shall be considered and disposed off on the same day in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

