

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26344 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

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1. Naresh Yadav, Son of Late Amrit Yadav,
2. Mahesh Yadav, Son of Late Amrit Yadav,
3. Raju Yadav, Son of Naresh Yadav,
4. Sonam Yadav @ Santan Yadav, Son of Naresh Yadav,
5. Tipu Yadav @ Pintu Yadav, Son of Mahesh Yadav, All Resident of
Village- Malisarah, P.S.- Chhabilapur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 13-07-2017 Heard both sides.

The petitioners apprehend their arrest in Chhabilapur
P.S. Case No. 18/2017, registered for the offences punishable
under Section 307 and other Sections of the Indian Penal Code.

The informant named the petitioner along with other
accused persons and alleged that on the order of Naresh Yadav
(petitioner no. 1), Umesh Yadav assaulted his brother with *Garasa*
on his head. Raju Yadav (petitioner no. 3), whose anticipatory bail
petition has already been withdrawn, assaulted the brother of the
informant with iron rod and other accused persons brutally
assaulted his brother with *Lathi*. Mahesh Yadav was having armed



with pistol.

Learned counsel for the petitioners submits that no specific allegation of assault is made against the petitioners. There is counter version also. Brother of the informant got simple injuries, but from perusal of the injury report, it appears that Binod Kumar, brother of the informant, got as many as seven injuries all over his body. There is allegation that all the accused persons brutally assaulted the brother of the informant. It appears from the order of the learned Sessions Judge that petitioner no. 2, Mahesh Yadav is convicted one in G.R. No. 1512/98.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners, above named, on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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