

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33299 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -HALSI District- LAKHISARAI

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1. CHINTU YADAV @ KAUSHAL YADAV @ KAUSHAL, Son of Anik Yadav,
2. Nakat Yadav S/o Late Bihari Yadav,
3. Baleshwar Yadav S/o Late Bhutai Yadav,
4. Bablu Yadav S/o Baleshwar Yadav,
5. Ajay Yadav S/o Baleshwar Yadav,
6. Pappu Yadav @ Pappu Kuamar, S/o Baleshwar Yadav,
All are R/o Village- Sawan Khairma, P.S.- Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-09-2017 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no. 2, Nakat Yadav, since during the pendency of this application, he has been arrested.

Accordingly, the application of petitioner no. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1, 3 to 6 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Halsi P.S. Case No. 38 of 2017 registered under Sections 341, 323, 324, 307 and 379 of the Indian Penal Code.

Learned counsel appearing on behalf of the



petitioners submits that petitioners are innocent and have falsely been implicated in this case. It is also submitted that there was delay in lodging the F.I.R.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioners with submission that there is specific allegation against the petitioner nos. 1, 4 and 5, who caused severe injuries upon the informant. Hence, their prayer should be rejected.

Having considered the facts and circumstances of the case, prayer of the petitioner nos. 1, 4 and 5 is rejected and at the same time, prayer of the petitioner nos. 3 and 6 is allowed.

Let the above named petitioner nos. **3 and 6** be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Lakhisarai in connection with Halsi P.S. Case No. 38 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

Shailendra/-

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