

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30464 of 2017

Arising Out of PS.Case No. -210 Year- 2016 Thana -LAXMIPUR District- JAMUI

- =====
1. Binay Yadav @ Binay Kr. S/o Raj Kumar Yadav.
 2. Raj Kumar Yadav, S/o Late Baldeo Yadav,
 3. Jaymanti Devi, W/o Raj Kumar Yadav, All Residents of Village-Singhia, Police Station- Laxmipur, District- Jamui.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and the learned APP appearing on behalf of the State.

At the very outset, learned counsel for the petitioners submits that the anticipatory bail petition filed on behalf of petitioner no.1 has become infructuous and he wants to withdraw the same.

Accordingly, anticipatory bail petition filed on behalf of petitioner no.1 is dismissed as withdrawn.

Petitioners apprehend their arrest in connection with Laxamipur P.S. Case No.210 of 2016 registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

Allegation is that on petty issue of irrigation, all accused persons including the petitioners assaulted the informant, his brother and son and while they were returning back to their home, Binay



Yadav gave spade blow over the head of the informant.

It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners and informant are agnates, there is case and counter case lodged by both sides. One of the injuries sustained by petitioners' side is grievous in nature, as far as in this case the injuries are simple in nature and allegation of giving spade blow is against Binay Yadav. There is no criminal antecedent except one case against these petitioners, there is no specific allegation of assault against the petitioners also.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let petitioner nos.2 and 3, namely, Raj Kumar Yadav and Jaymanti Devi, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jamui in connection with Laxamipur P.S. Case No.210 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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