

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46045 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -BIKRAM District- PATNA

- =====
1. Ram Sakal Yadav @ Ram Sakal son of Late Deo Nandan Yadav
 2. Sheorato Devi wife of Ram Sakal Yadav
- Both residents of Nijampur Tola, P.S. –Bikram, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Advocate
For the State : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-10-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Bikram P.S. Case No. 145 of 2017 registered under Sections 302,
120B, 307, 325, 341 and 323/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners
that the petitioner no.1 is full brother of the informant and
petitioner no.2 is his wife. They are aged about 70 years and 68
years respectively. In the FIR though nine persons have been made
accused, the specific overt act is alleged against Borik Yadav, who
is alleged to have assaulted with iron rod on the head of the
informant. He submitted that the petitioners have been named in
the FIR only because Borik Yadav is their son. They have got no



criminal antecedent and have got roots in the society.

On the other hand, learned counsel for the State assisted by the learned counsel for the informant has submitted that all the accused persons including the petitioners are alleged to have assaulted the deceased. However, he conceded that no such specific overt act is alleged against the petitioners. He contended that the son of the informant died due to injury caused on head in hospital during treatment.

Regard being had to the submissions made above and in the FIR it is not even alleged that the petitioners were even armed with any weapon, they are directed to 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 learned A.C.J.M.,-V, Danapur, Patna in connection with Bikram P.S. Case No.145 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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