

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53917 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Jairam Yadav, son of Vakil Yadav
2. Sitaram Yadav, son of Vakil Yadav
Both resident of village – Bhatoriya, P.S. Madhusudanpur, District – Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

For the Opposite Party/s Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 09-11-2017

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners, in the present, case, are seeking Anticipatory Bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 120/2017 (G.R. No. 1255/2017) for the offences under Sections 341, 323, 325, 307, 379, 504/34 of the Indian Penal Code pending in the court of learned Additional Chief Judicial Magistrate, Bhagalpur.

Learned counsel for the petitioners submits that even though there are allegations against these petitioners of causing assault by iron rod on the head of the informant and also on the head of his brother Jitendra



Kumar, the co-accused Rajan Yadav who had assaulted his brother namely, Mantu Yadav with *Lathi* and had fractured his right hand, has been granted privilege of Anticipatory Bail, therefore, these petitioners should also be allowed the same privilege.

On the other hand learned Additional Public Prosecutor for the State submits that altogether three persons sustained several injuries on their person. There are allegations of assault on the head of the informant and his brother which are specifically attributed to these petitioners. Case of co-accused Rajan Yadav cannot be equated with the case of the present petitioners.

Considering the allegations of causing injury on the head of the informant by these petitioners, I am not inclined to grant Anticipatory Bail to these petitioners.

Accordingly, prayer for Anticipatory Bail of the petitioners is rejected.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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