

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49328 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Ram Narayan Yadav,
 2. Balam Yadav,
 3. Rama Dhin Yadav,
 4. Shiv Sahkar Yadav,
 5. Hari Narayan Yadav,
 6. Paramanand Yadav, All Sons of Hari Nandan Yadav,
 7. Baiju Yadav,
 8. Rajesh Yadav Both Sons of Ram Narayan Yadav, All the R/o Village-
Kajichak, P.S.- Haranaut (Telmor), District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar, Advocate
For the Opposite Party : Mr. Sri Tapeswar Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Harnaut P.S. Case No. 191 of 2017, registered for the
offences punishable under Sections 147, 148, 149, 323, 341, 307,
379 of the Indian Penal Code.

Allegedly, to take possession over the land of the
informant the petitioners being armed came and started assaulting
the informant and his son with iron rod and further assaulted
Sangita Devi also and snatched her ear ring and further took away
Rs. 10,000/- from the box.

Submission is of false implication and that due to
land dispute the occurrence has taken place, there is case and



counter case, both side have received injuries. The injury received by the side of the informant are simple. The injury received by Brijnandan Yadav, the informant and Sarita Devi are simple in nature, whereas as the injury received by Shailendra Yadav the opinion has been kept reserved for C.T. scan of brain and X-ray of Radius and alna. Against the petitioners there is no specific allegation for assaulting, the allegations are omnibus and general in nature. The prosecution story as alleged in the F.I.R. appears not correct as per the injury reports and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- Vth , Nalanda at Biharsharif, in connection with Harnaut P.S. Case No. 191 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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