

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5912 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -BIHIYA District- BHOJPUR

- =====
1. Suraj Yadav
 2. Mithu Yadav. Both sons of late Jang Bahadur Yadav, Both Resident of Village- Doghara, P.S. Bihiya, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 23-02-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP appearing on behalf of the State.

Petitioners are accused in a case registered for offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 302 of the Indian Penal Code.

Allegation in brief is that all accused persons turned up with *lathi*, *bhala* and *rami* and assaulted the informant's husband and later on he succumbed to injury.

Submission is that there is land dispute between both sides and general and omnibus allegation is levelled against all nine accused persons of making assault to the informant's husband. However, only two ante-mortem injuries were found on



the person of the deceased, one contusion and one bruise on the head. There is no any injury of any sharp cutting weapon and the petitioners have no criminal antecedent and have been in custody since 19.11.2016. Another co-accused Deo Khushi Yadav has been granted bail by a coordinate Bench of this Court vide Cr. Misc. No.45126 of 2016.

Having considered the said facts and circumstances, let the petitioners, namely, Suraj Yadav and Mithu Yadav 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 Additional Chief Judicial Magistrate-Vth, Ara, in connection with Bihiya P.S. Case No.227 of 2016.

(Arun Kumar, J.)

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