

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45974 of 2017

Arising Out of PS.Case No. -240 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Umesh Yadav, S/o Late Mangal Yadav
2. Rajendra Yadav, S/o Late Mangal Yadav
3. Kunal Yadav, S/o Rajendra Yadav
4. Sakaldeo Yadav, S/o Late Gajo Yadav

All are R/o + P.S. - Giriyak, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Kumar, Advocate.
For the informant : Mr. Ranvijay Singh, Advocate.
For the Opposite Party/s : . Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-12-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend their arrest in **Giriyak P.S.**
Case No. 240 of 2017 instituted for the offence under Sections
341, 323, 325. 307, 504 and 506/34 of the Indian Penal Code.

It is alleged in the written report that this petitioner
along with other co-accused persons as named in the Fardbeyan
armed with lathi, danda, brick etc. came and assaulted the uncle of
the informant causing injury in his head, leg etc.

Learned counsel for the petitioner has submitted that
there is case and counter case between the parties. Co-accused



Ram Saran Prasad Yadav has filed Giriyak P.S. Case No. 198 of 2017 against the informant and others and the instant case is counter blast of the aforesaid case.

The case diary has been received.

The injury report is available in paragraph -64 of the case diary wherein the Doctor has opined the injury Nos. 2, 3, 5, 6 and 7 were simple in nature caused by hard and blunt substance whereas injury Nos. 1 and 4 are grievous..

From the written report it appears that there is allegation that total eight accused persons assaulted the uncle of the informant.

It is mentioned in paragraph-3 of the bail petition that petitioners have no criminal antecedent.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Giriyak P.S. Case No. 240 of 2017**, they shall be released on anticipatory 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**



Additional Chief Judicial Magistrate, Vith, Nalanda at Biharsharif, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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