

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32383 of 2017

Arising Out of PS.Case No. -68 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Mahendra Yadav.
 2. Sahendra Yadav.
 3. Satyendra Yadav.
1 to 3 Sons of Rajdeo Yadav @ Latu Yadav
 4. Mandeep Yadav, Son of Late Ganesh Yadav.
 5. Uday Yadav.
 6. Vinay Yadav.
 7. Santosh Yadav @ Santosh Kumar @ Sanoj Kumar.
5 to 7 Sons of Kamdeo Yadav.
 8. Kamdeo Yadav.
 9. Indradeo Yadav.
8 to 9 Sons of Late Akalu Yadav.
 10. Bijendra Yadav, Son of Late Basudeo Yadav.
 11. Subash Yadav, Son of Indradeo Yadav.
All resident of Village- Tendua Parivar, P.S.- Aurangabad(M), District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 10-08-2017 At the very outset, learned counsel for the petitioners submits that the petitioner nos.1 and 2, above named, have already been arrested in the case and seeks permission to withdraw this application in their respect.

Permission is accorded.

This application in respect of the petitioner nos.1 and 2, above named, is dismissed as withdrawn.



Now, only the prayer of the petitioner nos.3 to 11 for grant of anticipatory bail is being considered.

Heard.

The petitioner nos.3 to 11, above named, apprehend their arrest in connection with Aurangabad (M) P.S. Case No.68 of 2017 registered under Sections 147, 148, 149, 324, 323, 326, 325 and 308 of the Indian Penal Code.

The accusation is that due to falling of the drain water from the roof of the informant, Mahendra Yadav came at the door of the informant and started to abuse. When Sikandar Yadav, the uncle of the informant, made protest saying for arranging the Panchayati, Mahendra Yadav called to others and also caused injury at the head of Sikandar Yadav, the uncle of the informant, through Garasa. Mandeep Yadav (petitioner no.4) caused injury to Santosh Yadav alias Guddu Yadav through Khanti. Sahendra Yadav caused injury at the head of Amarjeet Yadav through rod whereas Satyendra Yadav (petitioner no.3) caused injury to Suman Kumar through lathi. Uday Yadav (petitioner no.5) and Kamdeo Yadav (petitioner no.8) caused injury to Pradeep Kumar through Danda and lathi respectively. The other petitioners also caused injury to the informant's side.

Submission on behalf of the petitioner nos.3 to 11 is that while initially the injuries of all the injured were found simple in nature except the injured Sikandar Yadav and Santosh Yadav, but in the supplementary injury report, the injury of the injured Santosh Yadav,



was also found simple in nature, as detailed in paragraph-65 of the case diary. Further submission is that, in fact, due to some dispute, the occurrence of 'Maar-Peet' took place in between the parties in which the petitioners' side also sustained injury regarding which on the basis of the written report of the petitioner no.5 Uday Yadav, Aurangabad (M) P.S. Case No.69 of 2017 for the offence under Sections 147, 148, 149, 323, 325 and 308 of the Indian Penal Code was also instituted against the informant of the present case and others.

Having considered the facts and the circumstances of the case, let the petitioner nos.3 to 11, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (M) P.S. Case No.68 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

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