

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51249 of 2017

Arising Out of PS. Case No.-72 Year-2017 Thana- GOH District- Aurangabad

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1. Yogendra Ram, Son of Nawal Ram.
 2. Subhash Das, Son of Late Basudeo Das.
- Both Resident of Village- Prema Bigha, P.S. Goh, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned Counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case is that on 10.06.2017, the bike of the informant was parked near hotel at Goh bus stand, when the auto rickshaw of co-accused, Saryu Das, dashed the said bike. The informant made protest, then he was being abused. Thereafter the informant was going to his village home at Dabar, on the way, co-accused, Saryu Das, Raju Das, Prabhu Das and petitioner nos.1 and 2 namely, Yogendra Ram and Subhash Das, stopped the informant, abused and on the point



of pistol snatched his mobile.

It is submitted by learned Counsel appearing on behalf of the petitioners that for a trivial dispute, the accusation has been levelled. There is counter version of the occurrence also. The petitioners' side lodged Goh P.S. Case No. 71 of 2017, levelling accusation under Sections 341/379/504/506 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The injuries of the informant have been found to be superficial simple in nature. However, with regard to some of the injuries the opinion has been reserved, but, apparently it appears to be simple. A statement has been made in paragraph no.3 of the petition that the petitioners have no criminal antecedent. It is further submitted that the thrust of accusation is against co-accused Saryu Das, who has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 49594 of 2017.

Considering the accusation against the petitioners being omnibus and general and statement made in paragraph no.3 of the petition that the petitioners having no criminal antecedent coupled with the fact that the thrust of accusation against co-accused, Saryu Das, who has been granted anticipatory bail by



a co-ordinate Bench of this Court, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 SDJM, Daudnagar, Aurangabad, in connection with Goh P.S. Case No.72 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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