

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43674 of 2017

Arising Out of PS.Case No. -376 Year- 2015 Thana -BALIA District- BEGUSARAI

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Kundan Kumar @ Kundan Yadav, S/o Dilip Yadav, Resident of Village-
Ballia, P.S. Ballia, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 21-09-2017 Heard both sides.

Petitioner apprehends his arrest in Ballia P.S. Case
No.376 of 2015 under Section 307 and other Sections of the
Indian Penal Code and 27 of the Arms Act.

The informant Asha Devi named the petitioner along
with 14 other accused persons and made omnibus and general
allegation against all the accused persons that they all assaulted
her with pistol, slaps and sticks. The accused persons also caught
her brother-in-law Pulkit Yadav and assaulted him. Accused made
firing but the shot did not hit Pulkit Yadav.

Learned counsel for the petitioner submits that there is no
apparent injury on the body of the Pulkit Yadav. He got bodyache
and abrasion on left parietal region. Both the injuries are simple in



nature. Similarly situated co-accused Manoj Yadav, Banu Yadav and Pramod Yadav have already been enlarged on anticipatory bail vide order dated 2.5.2016 passed in Cr. Misc. No.11275 of 2016. The case of the petitioner stands on the same footing.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that similarly situated co-accused, namely, Manoj Yadav, Banu Yadav and Pramod Yadav have already been granted anticipatory bail, petitioner above named, in the event of his arrest or surrender before the court below within four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No.376 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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