

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43766 of 2017

Arising Out of PS.Case No. -141 Year- 2016 Thana -MADANPURA District- AURANGABAD

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1. Sampati Devi, W/o Baburam Yadav,
2. Guddu Kumar @ Sanjeet Saurav, Son of Babu Ram Yadav, Both R/o
Village- Laltenganj, P.S.- Madanpur, District- Aurangabad (Bihar)
..... Petitioners

Versus

1. The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjit Kumar, Adv.
For the State : Mr. Narendra Kumar Singh, APP 150
For the informant : Mr. Ashok Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 21-09-2017 Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor and the learned counsel for the informant.

The petitioners apprehend their arrest in Madanpur P.S. Case No. 141 of 2016 under Sections 307m 326 and other sections of the Indian Penal Code.

Santosh Kumar, the informant, named ten persons, including these petitioners and alleged that they having armed with different weapons came and on the pretext of flowing drainage assaulted his father, Dewan Yadav, Kamlesh Yadav is said to have assaulted with farsa on the head of Dewan Yadav. The informant did not make any allegation of assault on any of the accused persons.

The learned counsel for the petitioners submits that Dewan Yadav got two injuries, one got on his head, which is opined to be grievous and another is superficial and simple in nature. Nine persons are alleged to have assaulted, but, only one injury, which is simple in nature, was found on the body of Dewan



Yadav, besides the injury found on head, which is attributed to Kamlesh Yadav. Santosh Yadav also got injuries, but, Santosh Yadav did not allege in the first information report, who assaulted him. There is counter version.

Considering the facts, aforesaid, the petitioners, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Madanpur P.S. Case No. 141 of 2016** to the satisfaction of the **Chief Judicial Magistrate, Aurangabad**, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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