

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38931 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -KATORIA District- BANKA

- =====
1. Arvind Yadav, S/o Bhimal Yadav,
 2. Sikandar Yadav, S/o Bhimal Yadav, Both resident of Village- Rikhiya Rajdan (Toal Lalmatiya), Police Station- Katoriya, District- Banka.
- Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioners and the learned APP appearing on behalf o the State.

Petitioners apprehend their arrest in connection with Katoria P.S. Case No.43 of 2017, registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

Allegation in brief is that the accused persons assaulted the informant and his family members. The specific allegation against petitioner no.1 is that he gave an axe blow over the head of the wife of the informant when she tried to rescue her husband and petitioner no.2 gave an iron rod blow on the head of the informant.

Learned counsel for the petitioners submits that there was quarrel on some petty issue. However, the allegation against



petitioner no.2 is that he assaulted the informant but the corresponding injury is simple in nature whereas the injury caused by petitioner no.1 is grievous in nature.

Having considered the said facts and circumstances, the prayer of anticipatory bail of petitioner no.1, namely, Arvind Yadav is rejected in connection with Katoria P.S. Case No.43 of 2017, pending in the court of the learned Additional Chief Judicial Magistrate, 1st, Banka.

As far as petitioner no.2 is concerned, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, petitioner no.2, namely, Sikandar Yadav 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 the learned A.C.J.M., 1st, Banka in connection with Katoria P.S. Case No.43 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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