

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45817 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -SHAKURABAD District- JEHANABAD

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1. Raj Ballabh Yadav, S/o Nagesh Prasad, R/o Village Sri Bigaha, P.S.-
Shakurabad District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.49466 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -SHAKURABAD District- JEHANABAD

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1. SHIV BALLABH YADAV @ SHIV BALLAM YADAV, S/o Nagesh
Prasad @ Nagesh Yadav, R/o Village- Sri Bigha , P.S.- Shakurabad,
District- Jehanabad.

2. Shiv Prakash Yadav S/o Nagesh Prasad @ Nagesh Yadav, R/o Village-
Sri Bigaha, P.S.- Shakurabad , District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45817 of 2017)

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

(In Cr.Misc. No.49466 of 2017)

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 28-11-2017 Both the petitions arise out of Shakurabad P.S. Case

No. 69 of 2017 registered under Sections-307, 379 & other minor

Sections of the Indian Penal Code, in which, petitioners apprehend

arrest and accordingly, both petitions are being heard and disposed



off by this common order.

There is allegation in the written report that some altercation took place between the informant and Pranpati Devi as the broom touched the leg of the informant. Thereafter, Pranpati Devi brought Shisham Mungra from the house and gave it to the accused persons. Thereafter, petitioner Sheo Ballav Yadav (in Cr. Misc. No. 49466 of 2017) assaulted the informant on the forehead with Shisham Mungra and caused injury on his head and on the Lalat. Thereafter, Raj Ballav Yadav and Sheo Prakash Yadav assaulted the informant with Lathi, on account of which, he sustained fracture in his left hand.

The case diary has been received wherein in para-22 of the case diary, total three injuries were found on the person of the deceased. The injury No. 1 was dislocation of left shoulder, which is found grievous in nature. Rest two injuries were bleeding from nose.

Counsel for the petitioners has submitted that counter case has also been filed by wife of one of the petitioners bearing Shakurabad P.S. Case No. 70 of 2017, in which, father of the petitioner sustained injury causing dislocation of the shoulder but counsel appearing for opposite party No. 2 does not admit such allegation.

The injury report of counter case is not available.

But looking into the nature of allegation and the injury sustained by informant, this court is not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for anticipatory bail is rejected.



The petitioners are directed to surrender in the court below and seek regular bail which will be considered by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

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