

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15628 of 2017

Arising Out of PS.Case No. -271 Year- 2015 Thana -KATORIA District- BANKA

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1. Chutar Yadav, Son of Debi Yadav,
2. Guriya Devi, W/O Chutar Yadav,
3. Bangali Yadav, S/O Debi Yadav
All resident of village – Thebri, P.S. – Katoria, District – Banka.
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate.
For the Opposite Party : Mr. Rana Randhir Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-04-2017 Heard both sides.

The petitioners apprehend their arrest in Katoriya P.S.
Case No. 271 of 2015 registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code.

The informant alleged that some altercation took place
between Pariya Devi and Guriya Devi, petitioner no. 2 for taking
water from the hand pump. The matter was pacified. While the
informant was sitting on his Darwaja, the petitioners and others
are alleged to have assaulted the informant, his father Jahdev
Yadav and others. Guriya Devi, petitioner no. 2 is alleged to have
assaulted Kailash Yadav with axe on his head. Chutar Yadav,
petitioner no. 1 is alleged to have assaulted the father of the
informant with axe. Other accused persons assaulted the informant



and others with Lathi.

Mr. Ajay Mukherjee, learned counsel for the petitioners submits that on petty matter some scuffle took place. The injury caused on the head of the informant is found to be simple in nature. Chutar Yadav, petitioner no. 1 is also alleged to have assaulted the father of the informant with axe and similar injury was found on his head.

It appears that father of the informant got injuries on the arm and his right upper arm was found fractured. Sunita Devi also got fracture injury on right side of her right hand.

Considering the facts and nature of allegations made against the petitioner no. 1 Chutar Yadav and petitioner no. 3 Bangali Yadav, I am not inclined to enlarge them on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Guriya Devi is concerned, the injury caused by her is simple in nature, Guriya Devi, petitioner no. 2, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Additional Chief Judicial Magistrate 1st, Banka in Katoriya P.S.



Case No. 271 of 2015, Subject to the conditions as laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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