

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45872 of 2018**

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1. Birendra Yadav, Son of Awadhesh Singh,  
2. Jitendra Singh, Son of Awadhesh Singh,  
Both are resident of Village- Purahara Samhar Tola, P.S.- Chauri,  
District- Bhojpur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      23-08-2018                      Heard learned counsel for the petitioners and the  
  
learned counsel appearing on behalf of the State.

The petitioners are in custody since 15.05.2018 in connection with Chauri P.S. Case No.37 of 2018 registered for the offences under Sections 341, 302 and 120B of the Indian Penal Code, which is pending in the court of the learned J.M.- 1<sup>st</sup>, Bhojpur, Ara.

Learned counsel for the petitioners submits that there is case and counter case between the parties and the injuries sustained on both sides. It is further submitted that in view of the injuries received by the petitioners' side, the petitioners may be released on bail.

Learned counsel for the State, however, submits



that five persons had attacked the deceased, the husband of the informant of the present case, which cumulatively led to his death and, therefore, the petitioners are not entitled to the privilege of bail.

Considering the entire facts and circumstances and considering that the deceased was continuously attacked by five persons altogether, I am not inclined to grant regular bail to the petitioners at this stage. It is, accordingly, dismissed.

**(Anjana Mishra, J)**

PNM

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