

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54360 of 2018

Arising Out of PS.Case No. -66 Year- 2017 Thana -MANJHAGARH District- GOPALGANJ

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1. Ajay Yadav @ Ajay Kumar Yadav.
2. Alok Yadav @ Alok Kumar Yadav, Both sons of Pundeo Yadav, resident of Village- Paithanpatti Malikana, P.S. Majhagarh, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mrs. Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 28-09-2018 Heard the parties.

The petitioners seek pre-arrest bail in Majhagarh P.S.Case No.66 of 2017 registered for the offences under Sections 147, 148, 323, 504, 337, 307 of the I.P.C. and Section 27 of the Arms Act.

Accusation is that due to lodging of the case against the petitioners and others by the informant Surendra Singh twelve accused persons named in the F.I.R. including the petitioners started to abuse the informant and co-accused Rati Kant Yadav fired upon the Nitish Kumar Singh, nephew of the informant, causing injury on his chest, Dipu Yadav fired on Bachha Singh, the father of the informant, causing injury on his chest and neck, co-



accused Anil Yadav and Dhiraj Yadav fired upon both sons, namely, Sudhanshu Kumar Singh and Pankaj Singh causing injuries on them, Rajendra Yadav fired upon the informant causing injury on his waist whereas both the petitioners gave iron blow on Sanju Devi who happens to be the daughter – in – law of the informant causing injury on her head.

Submission of the learned counsel for the petitioners is that, there is no allegation of firing against the petitioners rather they are said to have given iron blow on the daughter-in-law and only two injuries were found on her head. There is case and counter case and persons from both sides sustained injuries. Further submission is that petitioner no.1 is accused in three cases and petitioner no.2 is accused in two more cases but both the petitioners are on bail and all the cases are lodged by the same set of the prosecution party. Further submission is that in counter case i.e. Majhagarh P.S.Case No.65 of 2017 lodged by co-accused Ravindra Yadav some accused have allowed privilege of pre-arrest bail by the coordinate Bench of this Court which will appear from Annexure-3 to this petition.

Learned A.P.P. also opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case,



stated above, let the petitioners, in the event of their arrest or surrender before the learned court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of C.J.M., Gopalganj, in Majhagarh P.S. Case No.66/17 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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