

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56522 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Anil Yadav S/o Pradeep Yadav
2. Devendra Yadav, S/o Late Sahdeo Yadav, Both are Resident of Village-
Mayapur, P.S.- Madanpur, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 12-01-2018 Heard the counsels for the parties.

The petitioners seek bail in connection with Madanpur
P.S. Case No. 78/2017 dated 14.04.2017 instituted for the offences
under Sections 307, 379, 341, 323 and 34 of the Indian Penal
Code.

The son of the informant was assaulted by the
petitioners and others for the fault of his having developed
acquaintance with one Sugandha Kumari, daughter of petitioner
no. 2. It has been alleged that at the instance of Sugandha Kumari,
with whom the son of the informant (victim) had become
acquainted, the victim went to Maya Bigha, where he was
assaulted by fists, slaps, *lathi* and *danda* etc. by the petitioners and
others. When the victim became seriously injured and the accused



persons started fearing of his life, he was taken on vehicle to the house of the sister of the informant. This information was provided to the informant by the father-in-law of his sister. Thereafter, the informant took his son to the hospital for his treatment. In the case diary, the injury report of the victim is not available.

Mr. Krishna Prasad Singh, learned sr. Advocate for the petitioner, has drawn the attention of this Court to Annexure-2, which is the bed-head ticket of the Sadar Hospital, Aurangabad, which indicates that the victim was brought to the hospital by the informant and the cause of injury has been stated to be because of fall. It has further been submitted that the occurrence is of 08.04.2017, but the F.I.R. has been instituted on 14.04.2017. The explanation given in the F.I.R. of the delay in lodging the F.I.R. does not appear to be probable and acceptable. It has also been submitted that even if the allegation are accepted to be true, there does not appear to any intention on the part of the petitioners to kill the victim.

The petitioners are in custody since 24.08.2017.

Considering the nature of accusation, the petitioners above named are directed to be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Chief Judicial
Magistrate, Aurangabad in connection with Madanpur P.S. Case
No. 78/2017.

(Ashutosh Kumar, J.)

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