

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67500 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- SINDHWARA District- Darbhanga

-
1. Subhash Kumar Yadav @ Subhash Yadav, son of Pulkit Yadav
 2. Pulkit Yadav, son of late Palat Yadav
 3. Sunil Kumar Yadav, son of Pulkit Yadav
 4. Dinesh Yadav, son of Ramchandra Yadav
 5. Sushil Kumar Yadav, son of Pulkit Yadav
 6. Binod Yadav, son of Ramchandra Yadav
 7. Umesh Yadav, son of Ramchandra Yadav
 8. Avinash Kumar Yadav @ Avinash Kumar, son of Sumant Kumar Yadav
 9. Ramchandra Yadav, son of late Palat Yadav
 10. Sumant Kumar Yadav, son of Pulkit Yadav

All residence of Village Manikauli, P.S. Singhwara, District Darbhanga

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 04-12-2018 Supplementary affidavit is filed on behalf of the petitioners. Let it be kept on record.

At the very outset, it is pointed out that petitioner no. 4, namely, Dinesh Yadav and petitioner no. 8, namely, Avinash Kumar Yadav @ Avinash Kumar have already been arrested and, therefore, their prayer for anticipatory bail has become infructuous.

In view of the aforesaid submission, prayer for anticipatory bail of petitioners no. 4 and 8 stands dismissed



being infructuous.

Heard learned counsel for the remaining petitioners, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

Remaining petitioners apprehend their arrest in connection with Singhwara P.S. Case No. 34 of 2018 registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.

It is alleged that petitioners badly assaulted the prosecution party as a result whereof altogether five persons sustained injury but Annexure-B series to the supplementary affidavit goes to show that except one injured, all the injured sustained simple injury and so far as one injured is concerned, he sustained some injuries and all his injuries, except one, were found simple in nature and the doctor kept his opinion reserved in respect of one injury which was found on the knee of the aforesaid injured.

Learned counsel appearing for the petitioners submits that petitioners are agnates of the informant of the present case and as a matter of fact, there is case and counter case between the parties and persons from both the sides sustained injury which is evident from perusal of Annexure-C



series to the supplementary affidavit. It is also submitted on behalf of the petitioners that after institution of the present case, the informant and other injured filed compromise petition before the court below but subsequently, they retreated from the aforesaid compromise.

Although learned counsel appearing for the informant opposed the prayer but considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioners Subhash Kumar Yadav @ Subhash Yadav, Pulkit Yadav, Sunil Kumar Yadav, Sushil Kumar Yadav, Binod Yadav, Umesh Yadav, Ramchandra Yadav and Sumant Kumar Yadav, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in Singhwara P.S. Case No. 34 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

