

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.69990 of 2018**

Arising Out of PS. Case No.-330 Year-2018 Thana- RAHUI District- Nalanda

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1. Pramod Kumar, Son of Laldhari Yadav,
  2. Kanhaiya Yadav @ Kanhaiya Kumar, Son of Paramhans Yadav,
  3. Paramhans Yadav, Son of Late Ramdeo Yadav,
  4. Dilip Yadav @ Dilip Kumar, Son of Kapil Yadav,
  5. Kapil Yadav, Son of Late Pokhi Yadav, All resident of Village-  
Habanpura, Police Station- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh  
For the Opposite Party/s : Md. Ashlam Ansari

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      05-12-2018      Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 323, 504, 506 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Nitish Kumar dated 18.10.2018 submitted to S.H.O., Rahui Police Station is to the effect that on the same day at 11:15 P.M., when the informant's uncle, namely, Bipin Kumar Yadav came to the house of the informant and asked him to bring some article kept in the vehicle and when the informant reached near the house of



the Pramod Kumar (Petitioner No. 1), he saw Pramod Kumar, Petitioner No.1 and co-accused Rajan Yadav standing with pistol in their hands and talking about killing the uncle of the informant and when they saw the informant, on the order of co-accused Laldhari Yadav, co-accused Ashisk Kumar assaulted the informant with iron rod on the head and thereafter when the elder brother of the informant namely Ajay Yadav came to rescue him, on the order of co-accused Laldhari Yadav, co-accused Rajan Yadav resorted to fire which hit on his arm. It is further submitted that on alarm being raised, the neighbour Mukesh Kumar came to rescue, then he was also assaulted by the accused persons causing rupture injury on his head.

It is submitted by learned counsel for the petitioners that specific accusation of assault is not against the petitioner. It is further stated that there is a counter version of the case lodged against the informant side being Rahui P.S. Case No. 331 of 2018 registered under Sections 147, 149, 323, 504, 427, 349 and 307 of the IPC. Though petitioner nos.1 and 2 are involved in one other case but in that case, they have been acquitted. However petitioner nos. 3 to 5 are not having any criminal antecedent.

It is submitted by learned APP for the State that there is



specific accusation against the petitioners.

Considering the fact that there is no specific accusation against the petitioners and there is counter version of the occurrence, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **CJM, Nalanda at Biharsharif** in connection with **Rahui P.S. Case No. 330 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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