

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8843 of 2018

Arising Out of PS.Case No. -484 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Sone Lal Yadav, S/o Late Dahu Yadav,
2. Shyam Yadav, S/o Lt. Dahu Yadav,
3. Tribhuwan Kumar, S/o Shyam Yadav,
4. Laltu Yadav, S/o Dhirendra Yadav,
5. Kumar Yadav, S/o Sone Lal Yadav, All are R/o Village- Chakla, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sour Bazar P.S. Case No. 484 of 2017 registered under Sections 341, 323, 324, 307, 354 and 504/34 of the Indian Penal Code.

The accusation is that seven persons named in the F.I.R. including the petitioners came at the door of the informant and started to abuse her. When she made protest then petitioner no. 1, Sone Lal Yadav, catching her heir dragged on the ground, in which, she sustained fracture injury at her left hand. When the



family members of the informant rushed to save her then Amar Yadav gave farsa blow at the head of Narayan Yadav, due to which, he become unconscious. In the meantime, Muso Yadav, caused injury at the head of Ravindra Yadav through Farsa. Thereafter, petitioner no. 3, Tribhuwan Yadav, caused injury to her sister through the butt of Farsa, in which, she sustained injury at her finger.

Learned counsel for the petitioners submits that while petitioner nos. 2, 3, 4 and 5 are named in the F.I.R., but no specific overt act has been attributed against them. Moreover, petitioner no. 3 is said to be caused injury through butt of Farsa to the sister of the informant but most of the injuries were found simple in nature except two injuries, which were found grievous in nature.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 2, 3, 4 and 5 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No. 484 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



So far as the prayer for pre-arrest bail of petitioner no. 1, namely, Sone Lal Yadav, is concerned, having considered the facts and circumstances of the case and the nature of allegation against him, I am not inclined to grant anticipatory bail. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner nos. 1 is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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