

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5207 of 2018

Arising Out of PS.Case No. -242 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Taranand Yadav, Son of Satya Narayan Yadav,
2. Anil Yadav, Son of Late Shivdhar Yadav,
3. Singheshwari Yadav @ Bachha Yadav, Son of Late Ruplal Yadav,
4. Muso Yadav, Son of Late Ruplal Yadav,
5. Kevan Yadav @ Tapeshwari Yadav, Son of Late Ruplal Yadav,
6. Surendra Yadav Son of Late Jai Narayan Yadav,
7. Subhash Yadav, Son of Surendra Yadav,
8. Jai Prakash Yadav, Son of Late Jai Narayan Yadav,
9. Kamleshwari Yadav @ Jatto Yadav, Son of Late Ruplal Yadav,
10. Surendra Yadav @ Khattar Yadav, Son of Late Sukhdeo Yadav,
11. Raghu Yadav, Son of Late Baldeo Yadav, All are residents of Village-Khunti, P.S.- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 02-02-2018

Heard both sides.

The petitioners apprehend their arrest in Chhatapur P.S. Case No.242 of 2017 registered under Section 307 and other Sections of the Indian Penal Code.

The informant, Parmanand Yadav named the petitioners along with 11 accused persons and alleged that all accused persons having armed with different weapons came to his field. Sanjay Yadav exhorted to kill and set ablaze the tractor. On



such exhortion, all the accused persons came there. Anil Yadav, petitioner No.2, Raghu Yadav, petitioner No.11 on the order of Sanjay Yadav, non-petitioner pulled his son from the tractor. Jai Prakash Yadav, petitioner No.8 snatched key of the tractor. Giranand Yadav having armed with three naught pistol came there and pointed out pistol at the temple of his son. They also snatched golden ring from neck of his son. Giranand Yadav, Sanjay Yadav, Anil Yadav, Kevan Yadav assaulted the manager of the informant. Sanjay assaulted with farsa on his head. Baccha assaulted the manager with iron rod. Sanjay Yadav and Giranand Yadav tied rope around the neck of Satya Narayan Thakur, manager of the informant.

The learned counsel for the petitioners submits that of course, Anil Yadav and Kevan Yadav are also assaulted manager of the informant with lathi but simple injury of abrasion was found on the person of Satya Narayan Thakur, manager of the informant. The injury caused by Sanjay Yadav and Giranand Yadav by tying rope around the neck is found to be grievous. Sanjay Yadav and Giranand Yadav are not petitioners. There is counter version in Chhatapur P.S. Case No.241 of 2017. The occurrence took place due to land dispute.

Considering the facts that only petitioners, Anil Yadav



and Kevan Yadav are alleged to have assaulted the manager of the informant but simple injury, caused by hard and blunt substance, was found on the person of Satya Narayan Thakur, manager of the informant. Only one injury i.e. around the neck is found to be grievous and same was caused by Giranand Yadav and Sanjay Yadav. There is no specific allegation against other accused persons.

Considering the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Supaul in connection with Chhatapur P.S. Case No.242 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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