

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16890 of 2018

Arising Out of PS. Case No.-93 Year-2017 Thana- SHANKARPUR District- Madhepura

1. Vishwanath Yadav @ Bishwanath Yadav, Son of Late Kunji Yadav @ Kunji Lal Yadav,
2. Niraj Kumar @ Neeraj Kumar, Son of Bishwanath Yadav @ Vishwanath Yadav, Both residents of village- Bariyahi, P.S. Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Sri Manish Kumar 2

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Shankarpur P.S. Case No. 93 of 2017, registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

Allegedly, the petitioners and co-accused were ploughing the land of the share of the informant and when the wife of the informant forbade them then the petitioners and co-accused abused and assaulted to the wife of the informant and when the informant went there then the petitioners and co-accused assaulted the informant with lathi, danda and rod and got his head fractured



and they also caused threats to kill the informant.

Submission is of false implication and that the petitioner no.1 is full brother of the informant and petitioner no.2 is the nephew of the informant, due to dispute for share in the land and property this case has been lodged. All the injuries of the injured have been found simple in nature, no case under section 307 of the I.P.C. is made out and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the injury reports vide Annexure -2 series, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order 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 A.C.J.M., Madhepura, in connection with Shankarpur P.S. Case No. 93 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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