

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22289 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -KATORIA District- BANKA

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1. Dulari Devi wife of Modi Yadav,
 2. Modi Yadav son of Madhu Yadav,
 3. Ino Yadav son of Late Jagan Yadav,
 4. Madhu Yadav son of Late Dhanraj Yadav,
- All are resident of village - Badladih, P.S.- Katoria, District- Banka.
5. Babloo Yadav son of Sukhdeo Yadav, resident of village- Ganaura, P.S.- Katoria, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the State : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Katoria P.S. Case No.172 of 2017 registered under Sections 147, 341, 323, 504, 324 and 307 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that there is case and counter case and scuffle took place between the parties on account of partition dispute relating to ancestral property. It is further contended that save and except Supari Yadav other injured sustained simple injury and even grievous injury found on the person of Supari Yadav was on non-vital part of the body.

On the other hand, learned counsel for the State



submitted that there is allegation in the first information report that Supari Yadav was assaulted by co-accused Sukhdeo Yadav, Dulari Devi and Bablu Yadav and two injuries found on the person of Supari Yadav are grievous in nature.

Having heard learned counsel for the parties, I am not inclined to grant pre-arrest bail to petitioner no.5 Bablu Yadav, who is alleged to have assaulted Supari Yadav with *Tangi* on his left arm and armpit. His application for grant of pre-arrest bail is rejected.

So far as other petitioners, namely, Dulari Devi, Modi Yadav, Ino Yadav and Madhu Yadav are concerned, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Banka in connection with Katoria P.S. Case No.172 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender in the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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