

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36306 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -RAFIGANJ District- AURANGABAD

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1. Anil Yadav, son of Raghu Yadav
2. Ravindra Yadav, son of Laxuman Yadav
3. Vinod Yadav, son of Dwarika Yadav
4. Akhilesh Kumar Moriya @ Akelesh Kumar, son of Lallan Yadav
5. Dhanraj Yadav, son of Dipan Yadav,

All are residents of village- Bijulia, P.S.- Rafiganj, District-
Aurangabad (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Rafiganj P.S. Case No.33 of 2018 registered under Sections 147,
149, 341, 323, 307 and 504 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners
that in the first information report six named and 15-20 unknown
persons have been made accused with allegation that they all
being variously armed with *Lathi* and *Danda* attacked upon the
informant and others caused injuries. In the said incident apart
from the informant Sukhendra Yadav, one Tetar Chaudhary and



Vikas Kumar are alleged to have received injuries. The injury details of these persons would reflect that they sustained in all nine injuries, out of which the informant sustained five injuries on his person and other two persons sustained two injuries each. The injuries found on their person are mostly bruise, tenderness and swelling. It is submitted that the petitioners are not named in the first information report and they are apprehending arrest as the police are chasing them. According to him, the story narrated in the first information report is not compatible with the injuries sustained by the injured persons. Lastly, it is contended that three named accused persons, namely, Pappu Yadav, Bhola Yadav and Sadhu Yadav @ Rakesh Yadav have already been granted pre-arrest bail by a Bench of this Court vide order dated 28.06.2018 passed in Cr. Misc. No.29745 of 2018.

On the other hand, learned counsel for the State submitted that there is omnibus allegation against all the accused persons and atleast one of the injuries found on the person of the informant was a lacerated wound over occipital region of the scalp and its dimension, as mentioned in the injury report, was 2"x1/2"x bone deep.

Be that as it may, considering the facts and circumstances of the case and the submissions made above, in the



event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to 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 Chief Judicial Magistrate, Aurangabad in connection with Rafiganj P.S. Case No.33 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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