

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38625 of 2018

Arising Out of PS.Case No. -409 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Bal Kishore Yadav,
2. Arun Yadav,

Both Sons of late Manila Lal Yadav,

3. Pappu Yadav @ Pappu Kumar Yadav, S/o Bal Kishore Yadav,
4. Sikandra Yadav @ Sikandra Kr. Yadav @ Siko Yadav, S/o Raj Kishore Yadav,

All residents of Vill.- Khaira, P.S.- Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-07-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Saur Bazar P.S. Case No. 409 of 2017** instituted for the offence under Sections 341, 327, 324, 379, 384, 307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is specific allegation against petitioner No.1 of assaulting the informant with iron rod on his head causing bleeding injury to the informant, on account of which, he fell down on the ground.

The injury report of the informant has been enclosed



as Annexure-2 which shows that informant was admitted in Hospital and he was treated conservatively and discharged from the Hospital. The Doctor has opined that the injury was simple in nature, but seeing the specific allegation against petitioner No. 1 of assaulting the informant with iron rod, this Court is not inclined to grant anticipatory bail to petitioner No. 1 namely, Bal Kishore Yadav.

Prayer for anticipatory bail of the petitioner No. 1 stands rejected.

So far petitioner Nos. 2 to 4 are concerned, there is general and omnibus allegation against them. Therefore, prayer for anticipatory bail of the petitioner Nos. 2 to 4 namely, Arun Yadav, Pappu Yadav @ Pappu Kr. Yadav, Sikandra Yadav @ Sikandra Kr. Yadav @ Siko Yadav, is allowed. In the event of surrender/arrest of the petitioner Nos. 2 to 4, named above, within six weeks from today, in connection with **Saur Bazar P.S. Case No. 409 of 2017**, they shall be released on anticipatory 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 **Chief Judicial Magistrate at Sharsa**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property



within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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