

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52372 of 2018

Arising Out of PS.Case No. -186 Year- 2018 Thana -NAVINAGAR District- AURANGABAD

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1. Rahul Yadav @ Rahul Divya,
 2. Vivek Yadav, Both are sons of Ganesh Yadav, R/o Village- Basan Bigha More, Bhavan Khap,
 3. Mukesh Singh, Son of Binod Singh, R/o Village- Sonbarsa.
 4. Chandan Singh, Son of Late Dinesh Singh, R/o Village- Ram Nagar.
 5. Raushan Singh, Son of Arun Singh, R/o Village- Bhavanokhap.
 6. Ramesh @ Neta, Son of Late Sri Yadav, R/o Village- Bhavano Khap.
 7. Rocky Singh, Son of Ramprit Singh, R/o Village- Sarai, P.S.- Risiup,
- All are district- Aurangabad (Bihar).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Birendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 379, 307, 504, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 10.07.2018, the informant Rambali Yadav had gone to the house of Vijay Yadav at Bhawanikhap where accused persons aforesaid began to abuse and assaulted him. Bijendra Yadav, cousin of the informant, came to rescue who too was assaulted by them. Rahul Yadav and Ramesh Yadav opened fire. Other accused persons inflicted Lathi blow. Mukesh Singh and Chandan Singh snatched Rs. 6300/- from



the informant.

It has been submitted by learned counsel for the petitioner that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to previous enmity. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Offence in respect to Section 379 of the IPC is superficial in nature.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, in connection with Nabinagar P.S. Case No. 186 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

