

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64813 of 2018

Arising Out of PS. Case No.-139 Year-2017 Thana- KATORIYA District- Banka

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1. Upendra Yadav @ Chhotu, Son of Manu Yadav
 2. Rajendra @ Khira Yadav, S/o Manu Yadav
- Both Resident of Village-Parariya, Police Station- Katoria,
Distt.-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-12-2018 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.139 of 2017 registered for the offences punishable under Sections 341, 323, 324, 325, 379, 504 and 506 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that there is a case and counter case. The injuries sustained by the members of the prosecution party were found to be simple in nature. Similarly, circumstanced four other accused, namely, Nunimani Yadav @ Nunumani Yadav, Govind Yadav, Srikant Yadav and Kailash @ Arun Yadav have already been granted pre-arrest bail vide order dated 18.07.2018 passed in Cr. Misc. No.41006 of 2018 by a Bench of this Court.



Learned counsel for the State opposed the application for grant of bail to the petitioners. However, he admitted that the case of the petitioners stand on identical footing to that of other co-accused who have already been granted pre-arrest bail.

In that view of the matter, in the event of arrest or surrender in the court below within a period of six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Banka in connection with Katoria P.S. Case No.139 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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