

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55321 of 2018

Arising Out of PS. Case No.-310 Year-2017 Thana- DURGAWATI District- Bhabhua
(Kaimur)

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1. Ramdhari @ Ramdhari Yadav, Son of Purnawasi Yadav,
 2. Fulchand @ Fulchand Yadav, Son of Sallu Yadav,
 3. Arvind Yadav @ Ranjeet Yadav, Son of Late Laljee Yadav, All are resident of Village- Barpurava, Police Station- Chandouli, District- Chandouli (U.P.).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Pathak
For the Opposite Party/s	:	Mr. Shyam Kumar Singh
For the informant	:	Mr. Ravi Nandan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 14-12-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant. A supplementary affidavit has been filed on behalf of the petitioner which is kept on record.

Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the main application in the light of statements made in supplementary affidavit in course of the day.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was returning to his house, the accused persons surrounded him and assaulted due to which he sustained injury.



It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Durgawati P.S. Case No. 310 of 2017 (G.R. No. 2895 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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