

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51520 of 2018

Arising Out of PS.Case No. -209 Year- 2017 Thana -WAJIRGANJ District- GAYA

- =====
1. Bullu Yadav, Son of Narayan Yadav.
 2. Sonu Kumar @ Suno Kumar, Son of Bullu Yadav. Both resident of Village- Amaitha, P.S.- Wazirganj, District- Gaya.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajeev Kumar Sinha, Advocate.

For the Opposite Party : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 341, 325, 307 and
379/34 of the IPC.

The prosecution story, in brief, is that on 18.05.2017
the informant had gone to village- Baher to attend a *Bhoj*
Ceremony and in the meantime, his she-goat drunk *Dhoyaina* in
the *Nad* of accused persons, on which, accused persons including
petitioners assaulted his daughter aged about 10 years sustained
with bleeding injury on her head. When the informant's wife came
to rescue, she was also assaulted. When informant returned back
home after *Bhoj*, accused persons also assaulted him and took out



Rs. 10,000/- and a golden chain.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. Nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate. The alleged occurrence is said to have taken place due to petty reason. No deadly weapon is said to have been used in course of occurrence.

On behalf of the State, it is 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 A.C.J.M.-Ist, Gaya, in connection with Wazirganj P.S. Case No. 209 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

