

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49904 of 2018

Arising Out of PS. Case No.-105 Year-2015 Thana- LADANIA District- Madhubani

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1. Manoj Yadav, S/o Late Bachha Yadav,
 2. Birendra Yadav, S/o Late Adhik Lal Yadav,
 3. Amrendra Yadav S/o Late Adhik Lal Yadav, All R/o Vill.- Bagulawa, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307 of the Indian Penal Code.

Petitioner No.1, *Manoj Yadav* and petitioner No.2, *Birendra Yadav* allegedly assaulted to the informant. The Doctor has found abrasion on non-vital part of the person of the informant, as such the medical report is inconsistent with the prosecution allegation.

Though, petitioner No.3, *Amrendra Yadav* is alleged to have caused injury with (*Bhala*) a weapon of penetration to the deceased, however, the Doctor has not found any injury



(penetrating wound) on the person of the deceased, rather multiple abrasions found was cause of death of the deceased.

Considering the fact that other eyewitnesses have also supported the allegation against the petitioner No.3, *Amrendra Yadav* to have caused injury to the deceased with *Bhala*, I am not inclined to enlarge him on anticipatory bail. Hence, his prayer for anticipatory bail is refused.

The remaining petitioners i.e. petitioner No.1, *Manoj Yadav* and petitioner No.2, *Birendra Yadav*, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ladaniya Police Station Case No.105 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Kumar, J)

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