

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52588 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- SAHPUR District- Bhojpur

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1. Gajadhar Yadav Son of Kanhaiya Yadav
 2. Kanhaiya Yadav Son of Gajadhar Yadav Both are resident of Village- Bankat, Police Station- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 354(A), 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the niece of the informant was coming to her house, the accused persons teased her. When the informant inquired from them, he was assaulted by the accused persons due to which he sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. Both the parties are neighbours. The injury report does not indicate the nature of injury. It cannot be ascertained that offence under Section 307 IPC is made out in the present case. Except for the offence under Section 307 IPC, 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 A.C.J.M. XIV, Bhojpur at Ara in connection with Shahpur P.S. Case No. 166 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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