

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12721 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -AKBARPUR District- NAWADA

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1. Ashok Kumar @ Ashok Yadav, S/o Umesh Yadav,
 2. Bipin Kumar S/o Arjun Yadav,
 3. Navin Kumar S/o Arjun Yadav, All R/o Village- Rajpur, P.S.- Akbarpur, Distt.- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate.

For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Akbarpur P.S. Case No. 272 of 2017** instituted for the offence under Sections 147, 148, 341, 323, 307 and 504 of the Indian Penal Code.

In the written report there is allegation that petitioner No. 2 assaulted the informant on his left hand with *lathi* and petitioner No. 3 assaulted the son of the informant with lathi. There is no allegation of assault against petitioner No. 1.

Learned counsel for the petitioners has submitted that the injuries on the person of the informant were found on non vital



part of the body. One of the injuries was on the left palm of the informant which was opined by the Doctor to be grievous in nature. It has further been submitted that both parties are *Gotiyas*. The occurrence has taken place on account of irrigating the field from Boring Pump of the accused persons.

The injury report of the informant has been enclosed as Annexure-2 wherein the Doctor has found all the injuries caused by hard and blunt substance. Injuries No. 1 and 2 were found to be simple in nature and injury No. 2 found on the right hand palm of the informant was grievous. There is no injury on the person of son of the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Akbarpur P.S. Case No. 272 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-I, Nawada**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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