

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15631 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -PARAIYA District- GAYA

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1. Laxman Yadav, son of Late Kameshwar Yadav,
2. Parmanand Yadav @ Parmanand Kumar Yadav, Son of Laxman Yadav,
Both are resident of Village- Lodipur, Pokharpar, P.S.- Paraiya, District-
Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018

Heard the learned counsels for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Paraiya P.S. Case No. 43/2017 dated 01.04.2017 instituted for the offences under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.

The allegation in the F.I.R. is that the informant and his son were assaulted by several accused persons, including the petitioners, who are father and son amongst themselves, by means of hard and blunt substance.

Mr. Sanjay Kumar, learned Advocate appearing for the petitioners has submitted that from the F.I.R. itself, it appears that no specific allegation has been attributed against the petitioners and all the accused persons have been saddled with a general and omnibus allegation of assault. From the injury report, about which discussion



has been made in the impugned order, it further appears that the injuries suffered by the informant and his son are not such as would bring home the charges of attempt to murder.

Admittedly, there is a land dispute between the parties. The dispute actually is between Rajesh Yadav (one of the co-accused of this case) and the informant as well as his son. Because the petitioners, being co-villagers, have shown their support to aforesaid Rajesh Yadav, therefore they have also been named in the F.I.R.

The petitioners bear clean antecedent.

Considering the aforesaid facts, the petitioners above named are directed to be released on bail, in the event of their surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 43/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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